INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

INTERNATIONAL FISHERIES DIVISION

OFFICE OF SUSTAINABLE FISHERIES

2001

INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

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INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

CONTENTS

PART I. INTERNATIONAL AND REGIONAL MANAGEMENT ARRANGEMENTS

ATLANTIC OCEAN

International Convention for the Conservation of Atlantic Tunas (Basic Instrument for the International Commission for the Conservation of Atlantic Tunas -- ICCAT)

Basic Instrument

International Convention for the Conservation of Atlantic Tunas (TIAS 6767), 20 U.S.T. 2887, 1969, which was signed on May 14, 1966.

Implementing Legislation

Atlantic Tunas Convention Act (16 U.S.C. 971).

Member Nations

Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China (People's Republic), Côte d'Ivoire, Croatia, Equatorial Guinea, European Community (EC), France (in respect of St. Pierre et Miquelon), Gabon, Ghana, Guinea (Republic of), Honduras, Japan, Korea (Republic of), Libya, Morocco, Namibia, Panama, Russian Federation, Sao Tome and Principe, South Africa (Republic of), Trinidad and Tobago, Tunisia, United Kingdom (in respect of its overseas territories), United States of America, Uruguay, and Venezuela.

It was agreed at the 1997 annual meeting that all EC Member States would withdraw from the Commission effective 31 December 1997. France and the United Kingdom rejoined in respect of their independent territories.

Algeria, Barbados, and Honduras joined the Commission after the November 2000 ICCAT meeting.

Commission Headquarters

International Commission for the Conservation of Atlantic Tunas
c/ Corazon de Maria, 8
6-Planta
28002 Madrid, Spain

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Budget

The Commission's Standing Committee on Finance and Administration (STACFAD) approved a budget for calendar year 2000 of 252,943,060 pesetas. The U.S. contribution to this budget was 18,910,174 pesetas. It was noted at the 2000 ICCAT meeting that several Contracting Parties were arrears, which was creating cash flow difficulties for the Commission. Several members promised to bring their contributions up to date. In addition to the collection of past due contributions, there is another step that, if taken, will help relieve ICCAT's budgetary difficulties. This step is the adoption of the Madrid Protocol. This protocol was negotiated in 1992 and restructures the way contributions are calculated to take into consideration the position of developing countries. The protocol will enter into force once the required number of developed and non-developed market economies

ratify or accede to it. At this point, ratification/accession from only two of the following five non-developed market economies is needed to bring the Madrid Protocol into effect: Angola, Cape Verde, Cote d'Ivoire, Equatorial Guinea, Ghana, and Sao Tome and Principe. Once in force, the protocol will reduce the contributions of developing states, place ICCAT on a stable and secure budgetary foundation, and ensure that the Commission can undertake all of its work.

U.S. Representation

A. Appointment Process:

The Atlantic Tunas Convention Act (ATCA) provides that not more than three Commissioners shall represent the United States in ICCAT. Commissioners are appointed by the President and serve 3-year terms. Of the three U.S. Commissioners, one can be a salaried employee of any state or political subdivision thereof, or of the Federal Government. The Government Commissioner is not limited in the number of terms that he or she can serve. Of the two Commissioners who are not government employees, one must have knowledge and experience regarding commercial fishing in the Atlantic Ocean, Gulf of Mexico or Caribbean Sea and the other must have similar knowledge and experience regarding recreational fishing. The non-Government Commissioners are not eligible to serve more than two consecutive 3-year terms.

B. U.S. Commissioners:

Rolland Schmitten (Term expires: 02/02)
Director, Office of Habitat Conservation
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

J. Michael Nussman (Final term expires: 3/01)
American Sportfishing Association
1033 N. Fairfax Street, Suite 200
Alexandria, Virginia 22314

Glenn Delaney (Final term expires: 10/03)
601 Pennsylvania Ave., N.W.
South Building, Suite 900
Washington, D.C. 20004

C. Advisory Structure:

The U.S. Commissioners are required, under the ATCA, to constitute an Advisory Committee to the U.S. National Section to ICCAT. This body shall, to the maximum extent practicable, consist of an equitable balance among the various groups concerned with the fisheries covered by the Convention and is exempt from the Federal Advisory Committee Act. The Committee consists of (1) "not less than five nor more than twenty individuals appointed by the United States Commissioners who shall select such individuals from the various groups concerned with the fisheries covered by the Convention" and (2) the Chairs (or their designees) of the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico Fishery Management Councils (FMCs). Appointed Committee members serve 2-year terms and are eligible for reappointment. The 2001-02 Committee consists of the maximum 20 appointed members and the five FMC representatives.

Upon approval of the Committee and the Department of State, the directors (or their designees) of the fisheries agencies of each of the states, the residents of which maintain a highly migratory species fishery in the regulatory area of the Convention, may be invited to serve as *ex officio* members of the Committee. The Advisory Committee is invited to attend all non-executive meetings of the U.S. Commissioners and, at such meetings, shall have the opportunity to examine and to be heard on all proposed programs of investigation, reports, recommendations, and

regulations of the Commission.

The ATCA also provides that the Commissioners may establish species working groups for the purpose of providing advice and recommendations to the Commissioners and to the Advisory Committee on matters relating to the conservation and management of any highly migratory species covered by the Convention. Any species working group shall consist of no more than seven members of the Advisory Committee and no more than four scientific or technical personnel. The Commissioners have established the following four working groups: billfish, swordfish, bluefin tuna, and BAYS (bigeye, albacore, yellowfin, and skipjack) tunas. The Commissioners have appointed the maximum 16 technical advisors for 2001-02, as provided by law.

The Chairman of the Advisory Committee is Dr. John Graves, The College of William and Mary, Virginia Institute of Marine Science, School of Marine Science, Gloucester Point, VA 23062. The Executive Secretariat of the Committee includes Kim Blankenbeker and Rachel Husted (see addresses below). The Committee meets at least twice a year. The Committee's Statement of Operating Practices and Procedures is available from the Secretariat.

Description

A. Mission/Purpose:

ICCAT was established to provide an effective program of international cooperation in research and conservation in recognition of the unique problems related to the highly migratory nature of tunas and tuna-like species. The Convention area is defined as all waters of the Atlantic Ocean, including the adjacent seas. The Commission is responsible for providing internationally coordinated research on the condition of the Atlantic tuna and tuna-like species, and their environment, as well as for the development of regulatory recommendations. The objective of such regulatory recommendations is to conserve and manage species of tuna and tuna-like species throughout their range in a manner that maintains their population at levels that will permit the maximum sustainable catch.

B. Organizational Structure:

The ICCAT is comprised of a (1) commission, (2) council, (3) executive secretary, and (4) subject area panels. The Commission consists of not more than three delegates from each Contracting Party. The Council is an elected body within the Commission consisting of a chairman, vice-chairman, and representatives of not less than four or more than eight Contracting Parties and which performs such functions as are assigned to it by the Convention or Commission. Although the Council is supposed to meet at least once between regular meetings (which occur every other year), since 1978 Special Meetings of the Commission have been held in lieu of meetings of the Council. The Executive Secretary is responsible for coordinating the programs of investigation, preparing budget estimates, disbursing funds and accounting for expenditures; preparing the collection and analysis of data to accomplish the purposes of the Convention; and preparing scientific, administrative, and other reports for approval by the Commission. Panels are established by the Commission and are responsible for review of the species under their purview; collection of scientific and other information; proposing conservation recommendations for joint actions; and recommending studies by the Contracting Parties. Standing Committees on Research and Statistics (SCRS), Finance and Administration (STACFAD), and Compliance have been established by the Commission. ICCAT also has constituted a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), which met for the first time in 1993. Much of the focus of the PWG is directed toward gaining the cooperation of ICCAT non-members with the conservation and management measures of the Commission.

C. Programs:

The Commission concerns itself with (1) joint planning of research, coordination of research carried on by agencies of the Parties in accordance with its plans, and joint evaluation of the results of such research; (2) the collection and analysis of statistical information relating to the condition of fishery resources in the Convention area; and (3) joint formulation of regulatory recommendations for submission to the Parties.

Recommendations adopted by the Commission are submitted to governments for acceptance. These recommendations become effective for all Parties to the Convention 6 months after their formal submission to all Parties (unless otherwise stated) provided objections are not made during that period by concerned Contracting Governments. Each Contracting Party has the responsibility for implementing and enforcing the Commission's recommended conservation and management measures.

The Commission has taken conservation actions with regard to several species of Atlantic tunas. It has also established conservation measures for Atlantic swordfish and billfish. The following is a review of the activities of the Commission by subject area panel, standing committee and working group.

Panel 1 - Bigeye, Yellowfin and Skipjack Tunas

Status of the stocks:

The 1999 SCRS stock assessment for bigeye tuna showed that the stock is over-exploited. The SCRS recommended a reduction in overall bigeye tuna catch, and noted particular concern about the excessive harvests of juvenile bigeye tuna. The SCRS recommended a reduction in overall catch to levels approaching 80,000 mt to possibly stem the stock decline. A further reduction would be necessary to begin rebuilding.

The most recent SCRS assessment of yellowfin tuna was conducted in 2000. It indicated that recent catches could be slightly lower than MSY (maximum sustainable yield) levels and effort may be either above or below the MSY level–depending on assumptions made about changes in fishing power. In addition, current fishing mortality rates could either be above or about at levels that could produce MSY. Total effective effort has remained relatively stable since 1990. Reductions in fishing mortality of fish less than 3.2 kg could result in substantial gains in yield per recruit and modest gains in spawning biomass per recruit. An increase in effort is likely to decrease the yield per recruit. SCRS recommends that there be no increase in the level of effective fishing effort exerted on Atlantic yellowfin tuna over the level observed in 1992.

SCRS noted in its 2000 report that certain characteristics of Atlantic skipjack stocks make it extremely difficult to conduct an assessment using current models; thus, no standardized assessments were carried out. Some estimates were made, however, using other means. The eastern stock could be in a state of local overfishing in the equatorial area of maximum fishing concentration on FADs (fish aggregating devices). The analyses conducted for the western stock indicated that it is stable. SCRS noted that maintaining the Gulf of Guinea closed season could have a positive effect on the eastern stock.

Conservation and Management Actions:

In 1972, the Commission recommended a ban on the taking of yellowfin tuna weighing less than 3.2 kilograms (kg), allowing an incidental catch of not more then 15 percent of the number of fish landed per trip. This regulation was extended to bigeye tuna in 1979. Adherence to the minimum size for bigeye and yellowfin tunas has been poor. In 1993, ICCAT adopted a measure for yellowfin tuna requiring ICCAT Parties to cap effective

fishing effort at 1992 levels. As noted above, total effective effort has remained relatively stable since 1990.

The Commission has been concerned about the high catches of juvenile tunas by purse seine and baitboat vessels fishing in the Gulf of Guinea using floating objects or FADs. This fishing method tends to attract large amounts of juvenile bigeye (and to a lesser degree yellowfin and skipjack) tunas, including tunas under current minimum sizes. Since 1996, ICCAT has been taking steps to gather data on and to enhance the protection of juvenile tunas in the Gulf of Guinea. At its 1998 meeting, ICCAT adopted a binding measure that closed the Gulf of Guinea to purse seine fishing using floating objects from November 1, 1999 through January 31, 2000. This measure followed the voluntary closure implemented by French and Spanish purse seiners in 1997-98, which showed promise as a management tool. The SCRS is continuing to evaluate the effectiveness of the closure for conserving juvenile tuna. To assist in the collection of data, the 1998 measure incorporated expanded observer requirements for the fishery. Observers were first recommended by ICCAT for bigeye and yellowfin fisheries, including the Gulf of Guinea fishery, in 1996. At its 1999 meeting, ICCAT extended its Gulf of Guinea time/area closure, and the measure was expanded to encompass all surface fleets. This recommendation prohibits fishing over floating objects from November 1 of one year to January 31 of the following year. The measure also requires vessels to carry an observer at all times for both compliance and the collection of biological data, and it requires the establishment of internal procedures by each party to penalize their vessels for non-compliance. In addition, the recommendation directed the SCRS to analyze the impacts of the closure and to use that analysis to recommend management measures. The SCRS met intersessionally in 2000 to conduct this analysis. For a number of reasons, the SCRS evaluation of the Gulf of Guinea closed area was not entirely conclusive. The closure may be effective in reducing fishing mortality for juvenile bigeye tuna, at least during the closed season. The effect would likely be greater once all surface fleets fishing on FADs participate in the closure as adopted by ICCAT in 1999. The closure seems to have resulted in a stabilization of the percentage of bigeye harvested less than the minimum size to around 55% for the last three years.

The Commission has also begun to look at other methods to conserve and manage the bigeye fishery in recognition of the need to control the overall catch of this species. Noting the large increases in harvests by Chinese Taipei (the name used by ICCAT since 1997 ro refer to Taiwan), the Commission placed a 16,500 mt cap on Chinese Taipei's bigeye fishery at its 1997 meeting, extended the cap at the 1998 meeting, and additionally, placed a 125 vessel limit on the number of fishing vessels of Chinese Taipei allowed to operate in the bigeye fishery. In 1997, ICCAT began a program to collect basic data on fleet size in a move toward limiting fishing effort. ICCAT followed up this action at its 1998 meeting by adopting a measure requiring the registration of vessels over 24 meters length overall (LOA) fishing for bigeye tuna and authorizing parties to take the necessary measures to prevent vessels not on the registration list from fishing for bigeye tuna. Further, ICCAT adopted a binding measure to limit both the number of vessels larger than 24 meters LOA operating in the bigeye fishery and the capacity of those vessels as a means of limiting effort and catch of ICCAT species. Exceptions were allowed for countries under certain catch levels. Recreational vessels were also excluded.

Recognizing that vessel limitations and capacity controls are interim measures and, taken alone, likely will not lead to the recovery of bigeye tuna, the Commission adopted a resolution in 1998 tasking the SCRS to develop rebuilding plans for this species that take into account all forms of fishing mortality, including dead discards. In its 1999 report, the SCRS noted that more research on the basic biological characteristics of bigeye tuna is necessary and is ongoing in the Bigeye Tuna Year Program. The results of this work should enhance assessment in the near future so that the SCRS can provide improved advice to the Commission. Because of the lack of scientific information concerning bigeye tuna available prior to its 1999 and 2000 meetings, however, the SCRS has not yet been able to provide rebuilding advice to the Commission.

Despite the lack of rebuilding scenarios from the SCRS, the Commission took important conservation action for bigeye tuna at its 2000 meeting. Specifically, ICCAT established first-ever catch limits in the overfished bigeye

tuna fishery that are applicable for the 2001 fishing season. Parties are to limit their catch of Atlantic bigeye tuna to the average catch of bigeye tuna by all vessels for 1991 and 1992. In an effort to control China's quickly expanding fleet and bigeye tuna harvests, China is to make every effort to limit its bigeye tuna fleet to 30 vessels and its bigeye catch to 4000 mt. In addition China, is to limit its overall Atlantic tuna fishing fleet to 60 vessels. Unfortunately, China recently lodged an objection to the 2000 bigeye measure and will not be bound by its terms. Regarding non-members, the Philippines is to limit its bigeye tuna fishing fleet to five vessels. Previous limitations on Chinese Taipei's bigeye tuna fleet (125 vessels) and on its catch (16,500 mt) remain in effect. In addition, parties harvesting less than 2,100 mt during the 2000 fishing season are exempt from the bigeye tuna catch limitations. Even with the Chinese objection, the total catch of bigeye tuna in 2001 should be less than 100,000 mt, which is well below 1999 harvest levels.

With respect to yellowfin tuna, primary concern has been expressed at ICCAT meetings about the significant harvest of yellowfin tuna under ICCAT's minimum size. It was hoped that the yellowfin tuna would benefit from the voluntary and as of 1998 mandatory measures by being taken in the FAD fisheries of the Gulf of Guinea discussed under bigeye above. Recent analysis by the SCRS suggests that the closure may not be reducing harvests of undersized yellowfin tuna. Additional research on this issue is ongoing.

ICCAT has not adopted any management measures for either the eastern or western Atlantic stock of skipjack. As with bigeye tuna, however, the mandatory time/area closures to FAD fishing in the Gulf of Guinea should affect the eastern stock of skipjack. Research on this issue is continuing.

Panel 2 - North Atlantic Bluefin Tuna and Albacore:

Western Atlantic Bluefin Tuna: The capture of bluefin tuna in the western Atlantic was prohibited in 1981except for a catch quota for continuing scientific monitoring of the stock. This catch was allocated to ICCAT member nations which had actively participated in the fishery (United States, Canada, Japan). Brazil and Cuba, whose catches were less than 50 mt annually, were exempt from these early regulations. The Commission continued in following years to review periodically and adjust catch quotas as deemed appropriate. Other measures were also adopted, such as limiting the catch of bluefin smaller than 120 centimeters in length to no more than 15 percent in weight of the catch limit in the Western Atlantic; prohibiting directed bluefin fisheries in spawning areas such as the Gulf of Mexico; addressing the problem of overages; and encouraging tag and release of fish less than 30 kg.

Given the continued overfished status of western Atlantic bluefin tuna, ICCAT adopted at its 1998 meeting a rebuilding program for the western stock with the goal of reaching MSY in 20 years. This represents the first time that ICCAT has articulated a rebuilding goal to guide its management actions and fashioned a plan for achieving that goal. The annual total allowable catch (TAC) under the program is 2,500 mt, inclusive of dead discards. This TAC, which represents total fishing mortality, is consistent with that established in 1996. The program provides flexibility to alter the TAC, the MSY target, and/or the rebuilding period based upon subsequent scientific advice. The 2,500 mt TAC will not be altered unless there is evidence that a catch level greater than 2,700 mt or less than 2,300 mt would have at least a 50 percent chance of rebuilding the stock to MSY within the 20-year time frame.

The 2,500 mt TAC is shared by the United States, Japan, Canada, the United Kingdom (in respect of Bermuda) and France (in respect of St. Pierre et Miquelon). Bermuda first received a 4 mt incidental catch allocation during the 1995 quota negotiations. Although the fishery was fully subscribed, ICCAT noted that the request was limited in scope and determined that denying it could discourage other non-member countries harvesting ICCAT-managed species from joining ICCAT; thus, potentially harvesting ICCAT species but remaining outside ICCAT's control. The quota agreement in the 1998 western Atlantic bluefin tuna rebuilding program represents the first time St. Pierre et Miquelon requested an allocation.

The 1998 recommendation provides that, after reducing the TAC to account for dead discards (79 mt) and the 4 mt allocation each for the UK and France, the remainder of the TAC (2,413 mt) is to be allocated among the United States, Japan, and Canada. The U.S. share of the landings quota is 1,387 mt (a 43 mt increase in landings over 1997-98 levels). Canada received 573 mt (a 21 mt increase) and Japan received 453 mt of the TAC (equal to their 1998 share). The rebuilding plan has a unique clause that provides an incentive to minimize dead discards. If dead discards are above a country's allowance, they must be counted against that country's quota in subsequent years. If discards are below a country's allowance, half of the underage may be added to the next year's quota while the other half is conserved. The U.S. dead discard allowance under ICCAT's rebuilding program is 68 mt. Among other things, this recommendation also allows four years to balance the 8 percent tolerance of bluefin under 115 cm, which will facilitate implementation of recreational fishery measures.

A new stock assessment was conducted in 2000 for western Atlantic bluefin tuna. The SCRS advised that the total allowable catch "...should not be changed significantly from the current level..." Given this advice and noting the 20 year rebuilding program agreed by ICCAT in 1998 was only in its second year, ICCAT members that fish for western bluefin tuna preferred a cautious approach to the management of this species and did not seek a change in the current 2,500 mt quota.

Eastern Atlantic Bluefin Tuna: Recognizing the potential impact of mixing between the eastern and western Atlantic stocks of bluefin tuna, the United States has been pursuing the establishment of effective management measures for the eastern Atlantic and Mediterranean bluefin tuna fishery with increasing vigor. At the 1998 ICCAT meeting, the Commission adopted, for the first time, firm quotas for all harvesters of bluefin tuna in the eastern Atlantic and Mediterranean. Previously, ICCAT had established a cap for all countries (except France which received firm quotas beginning in 1996) fishing in the fishery with phased in reductions. These reduction were to start in 1996 and be completed by 1998. As of the 1998 ICCAT meeting, compliance with the catch limits established for eastern Atlantic/Mediterranean harvesters was slim.

Under the terms of the agreement adopted by ICCAT in 1998, the 1999 quota for the eastern Atlantic and Mediterranean fishery was 32,000 mt and the 2000 quota will be 29,500 mt. These quotas are subdivided into country-specific quotas, and they represented a significant reduction from recent landings of over 40,000 mt. A critical aspect of this agreement was that overharvests from 1997 were to be deducted from the 1999 quota level; thus, the adjusted TAC applicable to the eastern Atlantic/Mediterranean was expected to approach 27,000 mt. In real terms, the 1999 catch level was to be about a 33 percent decrease over current catch levels. Before the quota agreement for the eastern bluefin tuna fishery came into force, Libya and Morocco lodged objections to the measure. The agreement came into force for all but these two countries on August 20, 1999.

At the 2000 ICCAT meeting, the Commission adopted an overall catch level of 29,500 mt for 2001, although scientific advice indicated that the total catch for the eastern Atlantic bluefin tuna fishery must, at a minimum, be reduced to 25,000 mt in order to begin rebuilding, Furthermore, a catch level of 29,500 will allow overfishing to continue, and does not take into account other factors that may lead to actual harvest levels that exceed this target. The difficulty in establishing an effective conservation measure for this stock was due, in part, to the lack of progress to date on allocation criteria.

Other conservation measures in effect for the eastern Atlantic include: (1) prohibition on catching bluefin tuna with purse seines during the month of May in the Adriatic Sea and during the period July 16-August 15 in the other areas of the Mediterranean to protect juveniles (previously the entire Mediterranean was closed for the month of August); (2) prohibition on the use of airplanes and helicopters in support of fishing operations in the month of June in the Mediterranean; (3) prohibition on catching bluefin tuna by longline vessels greater than 24 meters in length during June and July in the Mediterranean.

Entire Atlantic: In 1974, a 6.4 kg minimum size limit and a limit on fishing mortality were established for Atlantic bluefin tuna. The minimum size measure allows an incidental catch of not more than 15 percent of fish (by weight or number) less than 6.4 kg to be landed per trip. An absolute minimum size of 3.2 kg was adopted by ICCAT at its 1998 meeting. This is an increase over the previous absolute minimum size of 1.8 kg. The 1998 absolute minimum size measure prohibits the retention, landing, and sale--including sale in markets in nations bordering the Convention area--of bluefin tuna less than 3.2 kg in the Convention Area by Contracting Parties and non-Contracting Parties.

In 1992, the Commission adopted the Bluefin Tuna Statistical Document (BSD) program, which requires the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna. The BSD requires exporters of bluefin tuna to include documents identifying the location and flag of the vessel catching the fish. This information has been used to address the problem of harvests that are contrary to ICCAT rules, especially by non-member countries. In 1994, a Bluefin Tuna Action Plan was adopted by the Commission that linked information gathered thru the BSD Program with Contracting Party compliance and non-Contracting Party cooperation with ICCAT's conservation regime. At this time, the Infractions (now Compliance) Committee was tasked with reviewing Contracting Party activities, while the Permanent Working Group (PWG) was tasked with reviewing the activities of non-Contracting Parties. Information on recent developments with regard to the BSD and Action Plan can be found in the PWG and Compliance Committee sections of this chapter.

Because of concerns that harvests of eastern Atlantic bluefin tuna will negatively affect the western stock, ICCAT adopted at its 2000 meeting a proposal calling for an intersessional scientific meeting in 2001 to examine bluefin tuna stock boundary issues. Research will also be conducted in 2001 to examine the possibility that bluefin tuna spawning areas exist in the central Atlantic Ocean. ICCAT also requested that, in 2001, the SCRS (1) report on the effects of bluefin tuna farming on the collection of catch statistics, (2) recommend ways to improve the bluefin tuna statistical document, if needed, (3) and report on updating the conversion factors for bluefin tuna products to live weight.

Northern Albacore: At its 1998 meeting, ICCAT adopted a measure to limit fishing capacity in the northern albacore fishery. This action is similar to that taken by ICCAT in the bigeye tuna fishery in 1999 and is intended to prevent further increases in fishing mortality, consistent with scientific advice that the stock is close to full exploitation. Specifically, parties fishing for northern albacore are to limit the number of vessels in this fishery to the average number in the period 1993-95. To control compliance with this measure, parties are to submit a list of the vessels participating in a directed fishery for northern albacore by June 1, 1999, and annually thereafter. The measure exempted recreational vessels and countries harvesting less than 200 mt from these reporting and limitation requirements, although it capped the latter at 200 mt. In addition, Japan was to limit its total catch of northern albacore to no more than 4 percent by weight of its total longline harvest of Atlantic bigeye tuna.

At its 1999 meeting, ICCAT adopted a recommendation directing the SCRS to evaluate the fishing capacity of different fleets/gears that participate in northern albacore fishery with a view to establishing effective fishing effort correspondence, taking as the reference period the years 1993-95. The measure requires all parties that have directed fisheries for northern albacore to provide SCRS with all the information required to establish said fishing effort correspondence and specifies that SCRS may suggest other appropriate management measures needed to limit sufficiently fishing mortality, including different possible stock recovery scenarios.

To improve control over the overfished northern albacore fishery, ICCAT agreed at its 2000 meeting to establish first-ever catch limits on that fishery. A TAC of 34,500 mt was set for 2001. This level is slightly below the 1999 catch level and should maintain a stable spawning stock biomass. The TAC, however, is above the maximum sustainable yield level of 32,600 mt. The majority of the TAC was allocated to the EC (28,712 mt). The U.S. share was 607 mt. All other ICCAT members are to limit their catches to 200 mt, except Japan. Because albacore

is a taken as a non-target species in Japan's bigeye tuna fishery, Japan is to limit its harvest of northern albacore to 4 percent in weight of its longline catch of bigeye tuna. Similar to the catch limits established in 2000 for bigeye tuna, the conservation measures adopted in 2000 for northern albacore represent a reasonable first step toward stock rebuilding.

Panel 3 - South Atlantic Bluefin Tuna and Albacore:

Southern Bluefin Tuna: No management measures have been established by ICCAT for southern bluefin tuna. This stock is distributed among the Indian, Pacific, and Atlantic Oceans. Stocks are assessed and managed by the Commission for the Conservation of Southern Bluefin Tunas (CCSBT). ICCAT collaborates closely with the CCSBT regarding this stock.

Southern Albacore: ICCAT adopted management measures for southern albacore for the first time at its 1994 meeting. Further measures were adopted in both 1996 and 1997. These actions were aimed at arresting the apparent decline of southern albacore. A TAC of 22,000 mt was established for the stock at ICCAT's 1997 meeting for both 1998 and 1999; however, a sharing arrangement for the TAC could not be agreed by the concerned nations (which included ICCAT members South Africa and Brazil and non-members Chinese Taipei and, at that time, Namibia). The 1998 scientific advice estimated that replacement yield for the stock was higher than previously thought at 28,200 mt and that current catch levels appeared to be sustainable. Based on this advice, ICCAT adopted a new measure at its 1998 meeting that replaced the 22,000 mt TAC for 1999 with a 28,200 mt TAC. Of that figure, 27,200 mt was allocated to parties "fishing actively" for southern albacore (i.e., South Africa, Brazil, Namibia, and Chinese Taipei). In an interesting development, these parties agreed to monitor their catches and report those catches to a designated Contracting Party within 2 months of the harvest. Every 2 months, a report of the cumulative catch will be made to those actively fishing for southern albacore and to the ICCAT Secretariat. When the total catch reaches 80 percent (21,760 mt) of the 27,200 mt level, multilateral discussions will be initiated in order to decide on steps to be taken to prevent over harvest of the catch limit. Once the established catch limit of 27,200 mt is reached, the parties will stop fishing for southern albacore. Countries not actively fishing for southern albacore, such as the United States and the EC, were subject to an annual catch limit of no more than 110 percent of their average 1992-96 catch levels of that stock. Japan was to endeavor to limit its total catch of southern albacore to no more than 4 percent by weight of its total longline catch of bigeye tuna taken in the South Atlantic.

Although there was difficulty on the part of certain countries to monitor their southern albacore fisheries and report in a timely way during 1999, ICCAT agreed at its 1999 meeting to extend this innovative management arrangement for another year. In taking this action, parties agreed to improve their monitoring and reporting. In addition, ICCAT recognized that U.S. catches of southern albacore are incidental to its South Atlantic swordfish fishery and that, according to analyses based on improved data collection, the limitation in effect for the United States for 1998 was not adequate. Thus, the United States was provided a modest increase in its harvest allowance for 2000, which was expressed as a percentage of its target catch rather than as a quota or catch limit. Specifically, the United States was to limit its total catch of southern albacore to no more than 4 percent by weight of its total South Atlantic swordfish catch taken by longline. This approach was similar to that provided to Japan in this fishery.

With minor changes, the management arrangement that has been in effect for the southern stock of albacore for the last few years was extended at the 2000 ICCAT meeting through 2001. This one-year management measure established the TAC for this stock at 29,200 mt, which corresponds to replacement yield and is below the estimates of maximum sustainable yield. Four parties (Brazil, Namibia, South Africa, and Chinese Taipei) will share 27,500 mt of the overall TAC. No quota sharing arrangement has been developed for this fishery pending the outcome of the allocation criteria working group. Parties again agreed to monitor their fisheries, report harvests to a

designated party at regular intervals, and close down the fishery when the TAC has been reached. While implementation of this innovative management approach has not worked particularly well, TACs have not been seriously violated in the past. Catch limits continue to apply to minor harvesters. Rather than being calculated as a percentage of our total South Atlantic swordfish catch as it was in 2000, however, the U.S. catch limit for 2001 is 100 mt.

Panel 4 - Swordfish, Billfish, Bonito, and Other Species:

Swordfish: In 1990, the Commission adopted management provisions for swordfish that, among other things: reduced fishing mortality on fish weighing more than 25 kg by 15 percent from the 1988 levels in the North Atlantic; prohibited the landing of swordfish weighing less than 25 kg in the entire Atlantic; allowed an incidental catch of not more than 15 percent of the number of fish landed; and limited effort in the entire Atlantic to 1988 levels. However, the 15 percent tolerance (in number) of incidental small fish catch has made this recommendation difficult to enforce. The SCRS reported that a lower minimum size prohibition with no tolerance could be used as the functional equivalent (in terms of fishing mortality) of the current minimum size with tolerance.

In 1992, the Commission instructed the SCRS to consider various measures to rebuild the stock over a reasonable period of time and maintain it at MSY levels. ICCAT also approved a U.S. plan to conduct a 2-year pilot program that would provide for the collection of biological data from dead swordfish discards.

By 1994, new data indicated that current harvest levels were above replacement yield, and country quotas for 1995 and 1996 were agreed for all of the primary North Atlantic swordfish harvesting nations. The Commission also established management measures for South Atlantic swordfish for the first time in 1994. These measures required that Contracting Parties whose catches in the South Atlantic were greater than 250 mt not increase their catches in 1995 and 1996 beyond the higher of their 1993 or 1994 catch level. Further, member nations whose catches in the South Atlantic were less than 250 mt were not to increase their catches in 1995 and 1996 beyond 250 mt.

At its 1995 meeting, the Commission established a long-term sharing arrangement for North Atlantic swordfish to carry over unused quota from year to year and to subtract quota overages from the following year's quota. This arrangement improved the inequities associated with the 1994 swordfish agreement by increasing the U.S. share to a level consistent with past harvests (29 percent of total harvest). In an effort to address the problems associated with the minimum size tolerance and to protect small swordfish, the Commission also adopted a U.S. proposal allowing Contracting Parties to select an alternative swordfish minimum size of 119 cm from the tip of the lower jaw to the fork of the tail, or the equivalent in weight, with no tolerance. Contracting Parties that adopt this alternative minimum size may take the necessary measures to prohibit the landing and sale in their jurisdiction of swordfish and swordfish parts below the alternative minimum size. With regard to swordfish stock recovery, the Commission tasked the SCRS to develop at its 1996 meeting, options for swordfish stock recovery. Specifically, it asked the SCRS to evaluate one or more series of annual total allowable catches that will bring the stocks to levels that would support MSY within 5, 10, and 15 years, with a 50 percent probability. An ICCAT Swordfish Action Plan was also adopted at the 1995 meeting. Further discussion of this plan can be found in the PWG section of this chapter. The 1994 measures for South Atlantic swordfish were extended for 1995 and 1996.

In its 1996 report, the SCRS noted that catches of North Atlantic swordfish in 1995 were considerably higher than the established 1995 TAC of approximately 13,800 mt. North Atlantic swordfish was estimated to be at 58 percent of the level that would produce MSY, and replacement yield was estimated to be 11,360 MT. To address the apparent stock decline, ICCAT established the following TACs for North Atlantic swordfish at its 1996 meeting: 11,300 mt for 1997, 11,000 mt for 1998, and 10,700 mt for 1999. Further, to address compliance issues for this

swordfish stock, each of the 3 years covered by the quota agreement are to be considered a separate management period as defined in the recommendation on compliance adopted at the 1996 ICCAT meeting and refined at the 1998 ICCAT meeting. This will facilitate the application of the provisions of the compliance recommendation. The distribution of the North Atlantic swordfish TAC for the 1997-99 management periods was as follows:

	1997	1998	1999
U.S.	3277.00	3190.00	3103.00
Canada	1130.00	1100.00	1070.00
Japan	706.25	687.50	668.75
Portugal	847.50	825.00	802.50
Spain	4661.25	4537.50	4413.75
Others	678.00	660.00	642.00

A supplemental management measure adopted by the Commission in 1997 specified that parties without specific quotas under the 1996 scheme should reduce their catch for 1998 and 1999 by 45 percent of their 1996 catch levels; that those with 1996 catch levels below 100 mt shall not increase their catch above their 1996 level; that parties without any reported catch in 1996 refrain from developing any directed swordfish fishery in the North Atlantic in 1998 and 1999; and that Bermuda be allocated 28 mt for 1997 that will be decreased during 1998 and 1999 according to the provisions of the 1996 TAC agreement for North Atlantic swordfish.

There was not sufficient time to deal with the issues and concerns raised at the 1996 ICCAT meeting regarding South Atlantic swordfish; therefore, the Parties agreed to meet intersessionally in 1997. In the meantime, the management measures for South Atlantic swordfish originally established in 1994 were extended through 1997.

Pursuant to an agreement reached in Brazil in 1997 at an informal meeting of ICCAT's Panel 4, ICCAT adopted a recommendation at its 1997 annual meeting that established a TAC of 14,620 mt for the South Atlantic swordfish stock. This agreement also set up a sharing arrangement and specified catch quotas for 1998-2000. The percentage shares for the 3-year period beginning in 1998 for South Atlantic swordfish were as follows:

Brazil	16.00 %
Japan	25.75 %
Spain	40.00 %
Uruguay	4.75 %
Other Contracting Parties	5.50 %
Non-Contracting Parties	8.00 %

It was further agreed that "Other Contracting Parties" as referred to above (which includes the United States) should not increase their catches above the catch of recent years and the TAC for the year 2000 may be revised following
the 1999 Atlantic swordfish stock assessment. At its 1999 meeting, ICCAT did not alter the 2000 TAC.

Both the sharing arrangement and the TAC for the South Atlantic stock of swordfish were reviewed by ICCAT at its 2000 meeting. While this stock is significantly healthier than a number of other ICCAT species, the target TAC for 2001 was set at 14,620 mt, which is above the level that would produce maximum sustainable yield (13,650 mt). Moreover, unlike past years, no member specific quotas could be agreed for this fishery. Instead, parties were encouraged to set precautionary catch limits for 2001 such that the TAC target would not be exceeded. All parties were required to notify ICCAT of their catch limit by the end of 2000. A majority of countries have

complied with this reporting requirement. Unfortunately, if parties harvest what they have indicated, the target TAC will be exceeded by approximately 50 percent. Lack of agreement on allocation criteria was a serious impediment to making conservation progress for this (and other) stocks at the 2000 ICCAT meeting.

At its 1998 meeting, ICCAT adopted a U.S. resolution tasking the SCRS to develop rebuilding scenarios for the heavily stressed Atlantic swordfish stocks. Among other things, the SCRS was to estimate a series of annual TACs, including dead discards, that are necessary to rebuild to biomass levels that would support MSY with a probability greater than 50 percent within various time periods, including of 5, 10, and 15 years. These analyses were used by ICCAT at its 1999 meeting, during which ICCAT parties committed to rebuild North Atlantic swordfish to the biomass that will produce MSY within 10 years, with a greater than 50 percent probability. The swordfish agreement establishes 3 years of progressively smaller TACs that are inclusive of dead discards (10,600 mt for 2000, 10,500 mt for 2001 and 10,400 mt for 2002). The allowance for dead discards is 400 mt for 2000, 300 mt for 2001 and 200 mt for 2002. The dead discard allowance is taken off the TAC before it is allocated, thus, the catch that can be retained in each of the next three years is 10,200 mt. This retainable catch limit will be allocated according to the 1996 sharing arrangement, as modified in 1999. The U.S. share under this scheme is 29 percent. Canada's share is 10 percent. The EC received 49.85 percent (which represents a 1.1 percent increase to account for its members that were previously harvesting under the "Others" category). The allocation to Japan was 6.25 percent and "Others" receive 4.9 percent (this category was reduced 1.1 percent to account for the increase in the EC allocation). The UK (in respect of its overseas territories) was allocated a quota of 24 mt for each of the next 3 years.

The distribution of the allowance of dead discards is 80 percent for the United States and 20 percent for Canada. If the United States or Canada exceeds their respective dead discard allowances, the amount in excess must be deducted from the catch allocation of that country for the following year. If the United States or Canada has fewer dead discards than provided for in the allowance, the difference will be added to the total catch that can be retained (i.e., 10,200 mt) and redistributed to all parties according to the adjusted sharing arrangement. The rebuilding program calls for a complete phase out of dead discards by the United States and Canada by 2004.

Because of the incidental nature of Japan's swordfish harvests, Japan was originally given a "management period" of 5 years (1997-2001) within which to comply with its cumulative quota over that time period. The rebuilding program specified that Japan's landings would be comprehensively reviewed in 2000 and that, pending a satisfactory outcome, Japan may be provided with another 5 year management period. Application of any overharvest from Japan's first 5 year management period to the second 5 year period is provided for in the rebuilding program. The management period to assess compliance for all other parties is one year.

Japan reported during the 2000 ICCAT meeting that it had seriously exceeded its North Atlantic swordfish quotas for the last few years. Swordfish are a non-target species taken in Japan's bigeye tuna fishery. Because of concerns for the integrity of the ten year swordfish rebuilding program adopted by ICCAT in 1999 and given the recent underharvest by the United States of its North Atlantic swordfish quota, the United States agreed to assist Japan in addressing its swordfish overharvest. Specifically, a measure was adopted in 2000 that, among other things, will allow Japan access to 400 mt of unused U.S. quota for 2001 only. The goodwill generated by the sacrifice made by the U.S. longline industry assisted the United States in advancing its agenda on other important issues. Other aspects of the swordfish measure include: (1) providing Japan flexibility to count up to 400 mt of its 2002 swordfish catch taken from a certain part of the North Atlantic against its uncaught South Atlantic swordfish quota, with 1 mt of catch taken in the specified area counted as 2 mt of southern swordfish quota; (2) requiring Japan to have 5 percent observer coverage on its vessels operating in the North Atlantic in 2001 and to endeavor to increase that coverage to 10 percent for 2002; (3) requiring Japan to conduct research on the stock structure of Atlantic swordfish; and (4) reviewing Japan's catch in both 2001 and 2002 to assess its progress toward

compliance.

In addition to the rebuilding plan, ICCAT adopted a measure at its 1999 meeting directing the SCRS to analyze and identify possible time/area closures to improve the conservation of juvenile swordfish. This measure also requests that studies be undertaken to determine whether longline gear modifications can reduce catches of undersized swordfish. A Japanese proposal was also adopted that calls on parties to support research that will clarify the stock structure and boundaries of Atlantic swordfish. SCRS is to consider the results of this research at its next swordfish assessment, scheduled for 2002.

With respect to the Mediterranean stock of swordfish, the Commission adopted a measure at its 2000 meeting requesting the SCRS to present a report on the possible measures to protect juvenile Mediterranean swordfish before the 2001 ICCAT meeting. Little is known about the Mediterranean stock of swordfish and no management measures are in place at this time.

Billfishes: At its 1995 meeting, the Commission adopted a resolution focusing on the enhancement of research programs for billfish and calling for voluntary release or tag and release by commercial as well as recreational fishermen. In 1996, the Commission passed a resolution to encourage actions to facilitate the recovery of billfishes. The resolution called for promotion of the use of monofilament leaders to avoid hindering the live release of billfishes; to report at the 1997 ICCAT meeting on costs and benefits of using monofilament leaders; and to improve catch statistics and information about post-release mortality of billfishes released live from commercial and recreational fisheries in order to develop a recovery program for billfishes. The Commission also agreed that funds allocated for the tagging work associated with the bluefin year program would also provide for implementation of the SCRS-proposed billfish tagging program.

At its 1997 meeting, the Commission adopted the first mandatory conservation measures for Atlantic blue marlin and white marlin. The recommendation required all ICCAT Contracting and non-Contracting Parties, starting in 1998, to reduce landings for each of these species by at least 25 percent from 1996 landings. This reduction was to be accomplished by the end of 1999. The recommendation further: (1) required Parties to promotes the voluntary live release of these species; (2) called for the provision of information to ICCAT regarding measures in place to reduce landings or fishing effort in all fisheries that interact with marlins; (3) called for the submission of base data to the SCRS; (4) called for SCRS stock assessments for these stocks to be presented and reviewed at the 1999 Commission meeting; and (5) exempted small-scale artisanal fisheries from the above requirements.

Because ICCAT agreed at its 1998 meeting to postpone the blue marlin and white marlin assessment until the year 2000 in order to assess the effectiveness of the 1997 ICCAT marlin recommendation, ICCAT extended the 1997 management measure through 2000. Thus, the landings cap achieved by the end of 1999 was to be continued through 2000. In addition, ICCAT directed SCRS to conduct assessments of western Atlantic and eastern Atlantic sailfish in 2001 and to develop stock recovery scenarios for all billfish species that are identified as over-exploited, if possible.

At its 2000 meeting, the Commission adopted a two-phase plan to rebuild severely depleted populations of Atlantic blue marlin and white marlin. Phase one of the rebuilding plan requires countries to reduce white marlin landings by 67 percent and blue marlin landings by 50 percent from 1999 levels through the release of all live marlins taken as bycatch in commercial fisheries. The United States agreed to limit annual landings by recreational fishermen to 250 marlin and to maintain regulations that prohibit retention of marlins on U.S. longline vessels. Phase one of the plan also encourages countries to set minimum sizes for marlins taken in recreational fisheries. In phase two of the program, ICCAT will reassess the status of the billfish stocks and develop specific timetables to rebuild the stocks to levels that will support maximum sustainable yield. At such time, additional landings restrictions or alternative management measures such as fishing gear modifications or time and area closures may be applied.

Other Species: No management measures are in place for Atlantic bonito or other Panel 4 species.

Permanent Working Group:

Bluefin Tuna Statistical Document (BSD) Program: The BSD program was established in the early 1990s. It requires the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna. It was intended to improve the reliability of statistical information on catches of over-exploited Atlantic bluefin tuna stocks, particularly as regards non-Contracting Parties--since some of these nations do not provide catch data to ICCAT. The program provides information on the flag state and name of the harvesting vessel, the location of harvest, the point of export, a description of the fish in the shipment and the like. In addition, the document must be validated by a government official of the flag state of the vessel that harvested the tuna unless the very specific criteria that allow for exemption of the government validation requirement are met. Various recommendations updating the BSD program have been adopted since the initial program was established.

Bluefin Tuna Action Plan Resolution: As noted earlier, the Commission adopted the Bluefin Tuna Action Plan Resolution in 1994 in order to promote cooperation with ICCAT conservation measures. The plan established a mechanism that could lead to the use of multilateral trade measures against parties deemed to diminish the effectiveness of the ICCAT conservation measures for bluefin tuna. This was the first time such a mechanism had been adopted within an international fisheries management organization.

At its 1995 annual meeting, ICCAT took a step toward a possible recommendation of trade measures by identifying Belize, Honduras, and Panama as nations with vessels fishing in a manner that diminishes the effectiveness of ICCAT's conservation measures for bluefin tuna. Trade data obtained from ICCAT's BSD program and vessel sighting information indicated that non-Contracting Party vessels were fishing in the Mediterranean for bluefin tuna, including fishing on the Mediterranean spawning grounds during the closed season, although these countries reported no bluefin tuna catches to ICCAT.

During its 1996 meeting, the Commission agreed that Belize, Honduras, and Panama had not rectified the fishing practices of their vessels. Therefore, in accordance with the Bluefin Tuna Action Plan Resolution, the Commission recommended its members to take measures to the effect that the import of Atlantic bluefin tuna products in any form from these three countries be prohibited. In the cases of Belize and Honduras, ICCAT recommended that the prohibitions begin when the recommendation entered into force. In the case of Panama, the effective date of the prohibition was January 1, 1998, unless the Commission decided otherwise at its 1997 meeting. The trade measures against Panama were to take effect at a later date because Panama demonstrated what the Commission viewed as a sincere desire to rectify the fishing practices of its vessels. These recommendations for multilateral trade restrictive measures represented the first time that such measures had been authorized by an international fishery management organization to ensure cooperation with agreed conservation and management measures.

The Commission also reviewed the fishing activities of other non-Contracting Parties as called for by the Bluefin Tuna Action Plan Resolution. While information was insufficient to identify any nation, the Commission agreed to send letters to several non-members expressing concern about the status of bluefin stocks in the Eastern Atlantic and
Mediterranean Sea, and encouraging increased cooperation with ICCAT. The Commission also expressed grave concern about the large number of vessels sighted in the Mediterranean that fly no flag and have no other markings of identification.

At its 1997 meeting, the Commission agreed to continue trade restrictive measures on Atlantic bluefin tuna from Belize and Honduras and to include Panama in these embargoes starting on January 1, 1998, as scheduled. These decisions were based on the lack of response by Belize and Honduras to letters from the Commission and on

information that fishing activities by vessels of these countries continued. Although the similar letter to Panama did
receive a response and Panama sent an observer to the 1997 meeting, it was agreed that Panama's stated actions were not yet proven and that further review by ICCAT at its 1998 meeting would be required. No other countries were identified under the ICCAT Atlantic Bluefin Tuna Action Plan Resolution.

At the 1998 meeting of ICCAT, the Commission again reviewed the fishing activities of Belize, Panama, and Honduras. ICCAT agreed to continue trade measures for reasons very similar to those previously discussed. It was noted that Panama had taken additional steps to address ICCAT's concerns but that Panama still did not have sufficient control of its fleet. ICCAT also agreed to send a letter to Guinea Bissau expressing concern over the bluefin tuna fishing activities of vessels of that nation. Additionally, ICCAT took note that the Secretariat had sent a letter to the Philippines based on information that at least one vessel of the Philippines was sighted in the Mediterranean during the 1998 closed season.

In reviewing available information on bluefin tuna fishing activities of non-members at its 1999 meeting, ICCAT noted that fishing activity attributable to the vessels of both Belize and Honduras continued in the Convention area and that no substantive responses had been received from either country, although repeated attempts by the Commission to seek information and cooperation had been made. Thus, it was decided that the non-discriminatory, trade restrictive measures in force since 1997 on bluefin tuna products from these countries should continue.
(The fishing activities and compliance issues relative to Panama, a new ICCAT member, were referred to the Compliance Committee.) Further, ICCAT agreed that a letter of identification should be sent to the Philippines based on evidence that vessels flying the flag of the Philippines were operating in the Convention area in a manner that diminishes the effectiveness of the ICCAT bluefin tuna conservation program. It was noted that no substantive information had been provided by the Philippines regarding the activities of these vessels and that no efforts had been made to rectify the situation. In addition, it was agreed that letters should be sent to Turkey, Denmark (on behalf of the Faroe Islands), and Iceland requesting information on the bluefin tuna fishing activities of vessels from these countries. It was also agreed that a letter should also be sent to Sierra Leone requesting continued cooperation with regard to one of its vessels that appears to be fishing for ICCAT species.

At its 2000 meeting, the Commission maintained previously agreed trade restrictions against Belize and Honduras relative to bluefin tuna. Iceland and Denmark (in respect of the Faroe Islands) will receive very strong warning letters concerning their bluefin tuna fishing activities. The Commission is poised to identify these two countries under its bluefin tuna action plan resolution in 2001 if they do not rectify their fishing practices. Such identification could lead to trade restrictive action in 2002. Turkey, Malta, and Norway will receive letters from ICCAT in 2001 seeking cooperation, including requesting information on their bluefin tuna fisheries. Particularly in the cases of Turkey and Malta, the letters clearly warn of the possibility of trade actions if their vessels are found in the future to be diminishing the effectiveness of ICCAT. These letters also encourage all three countries to join the Commission given their interest in ICCAT stocks.

Swordfish Action Plan Resolution: In 1995, ICCAT adopted the Swordfish Action Plan Resolution, similar in principle to the Bluefin Action Plan Resolution in that it provides a mechanism that could lead to multilateral trade measures against non-member countries deemed to diminish the effectiveness of ICCAT conservation measures for swordfish. This resolution was adopted because of the declining status of swordfish stocks in the Atlantic and increasing catches by non-Contracting Parties. At its 1996 meeting, the Commission reviewed data on non-Contracting Party fishing activities for swordfish but determined that the available information was insufficient to identify any nation. However, the Commission did approve a letter to be sent to Trinidad and Tobago expressing concern over that nation's fishing activities for swordfish.

At its 1997 meeting, the Commission reviewed catch, trade, and sighting information relative to swordfishing activities. While no countries were identified pursuant to the Swordfish Action Plan, the Commission expressed concern about the fishing activities of several non-members, including Panama, Belize, and Honduras, and sent letters to each reflecting those concerns.

At its 1998 meeting, ICCAT agreed to send letters to a number of non-members concerning harvests of ICCAT species and, more importantly, formally identified Panama, Honduras, and Belize under the first step of the swordfish action plan. In 1999, the Commission reviewed trade and sighting information relating to the fishing activities of vessels of non-members, including Honduras and Belize. (The fishing activities and compliance issues relative to Panama, a new ICCAT member, were referred to the Compliance Committee.) Available information indicated that vessels of Belize and Honduras continued to operate in the Convention area and that no substantive responses had been received from either country--although repeated attempts by the Commission to seek information and cooperation had been made. Thus, ICCAT recommended that its members prohibit the import of Atlantic swordfish and swordfish products from Belize and Honduras upon entry into force of the recommendation (summer 2000). In addition, the Commission identified Singapore based on evidence that vessels flying the flag of Singapore have been fishing for Atlantic swordfish in a manner that diminishes the effectiveness of the ICCAT swordfish conservation program. In making the identification, ICCAT noted that no substantive information had been provided by Singapore regarding the activities of these vessels, although this information had been requested by the Commission after the 1998 ICCAT meeting, and that no efforts had been made to rectify the situation. ICCAT also agreed to send letters of warning to Vanuatu and Kenya relative to the swordfish fishing activities of their vessels, and a letter to Barbados seeking clarification of the fishing practices of its vessels.

At its 2000 meeting, the Commission maintained previously agreed trade restrictions against Belize and Honduras relative to swordfish. Further, the Commission identified Vanuatu under its swordfish action plan resolution, setting the stage for adoption of swordfish trade restrictions against that country at the 2001 ICCAT meeting if Vanuatu has not rectified the fishing practices of its vessels by that time. In addition, ICCAT will send letters to Argentina, Barbados, Iceland, Liberia, Mozambique, Grenada, and the Netherlands Antilles seeking cooperation from these countries, including requesting information on the swordfish harvests of their vessels. They also imply that trade action could be contemplated by the Commission if the fishing practices of the vessels of these countries are found in the future to be diminishing the effectiveness of ICCAT. Further, the letters encourage these countries to join the Commission given their interest in ICCAT stocks.

Actions Related to Unregulated and Unreported Fishing: In a significant action, ICCAT adopted the "Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area" at its 1998 meeting. This measure is designed to help address the problems associated with unreported and unregulated catches of tunas by large-scale longline vessels, partly in recognition of the problems associated with so-called "flag of convenience" vessels. The resolution establishes a process for identifying both ICCAT members and non-members whose large-scale longline vessels have been fishing for ICCAT species in a manner which diminishes the effectiveness of the Commission's conservation and management measures. Specifically, the resolution requests parties that import or land frozen tunas and tuna-like fish products, to collect import or landing data and associated information, and submit that information to ICCAT each year for review. Based on this and other information, ICCAT can "identify" countries as mentioned above. Identified countries are requested to take all necessary measures so as not to diminish the effectiveness of ICCAT including, if appropriate, the revocation of vessel registration or fishing licenses of the large scale longline vessels concerned. In situations where identified parties fail to take appropriate actions as requested, the Commission will recommend effective measures, including non-discriminatory trade restrictive measures, to prevent the large-scale longline vessels of identified countries from continuing fishing operations for tuna and tuna-like species in a manner that diminishes the effectiveness of relevant ICCAT conservation measures.

In 1999, the Commission identified a number of non-members pursuant to the unregulated/unreported catches resolution for the first time. Based on trade data and other information provided by ICCAT members, the Commission identified Belize, Cambodia, Honduras, Kenya, the Philippines, Sierra Leone, Singapore, and St. Vincent and the Grenadines under the above resolution and requested that these countries take all necessary measures to ensure that their large-scale longline vessels cease fishing operations for tuna and tuna-like species in a manner that diminishes relevant ICCAT conservation measures. (For actions taken relative to ICCAT members, see the Compliance Committee section.)

At its 2000 meeting, the Commission agreed to require its members to ban the import of bigeye tuna from non-members Belize, Honduras, Cambodia, and St. Vincent and the Grenadines, and ICCAT member Equatorial Guinea. In recognition that Honduras is making efforts to address ICCAT's concerns, the Commission agreed to delay implementation of the bigeye tuna trade restrictions until January 2002, to allow ICCAT time to review this decision in light of new information.

At its 1999 meeting, ICCAT adopted a proposal calling for further actions against illegal, unregulated and unreported (IUU) fishing activities by large-scale longline vessels in the Convention area and other areas. This non-binding measure calls on parties to ensure that their large-scale longline vessels do not carry out IUU fishing activities. It also encourages parties to take every possible action, consistent with relevant laws, to urge their importers, transporters and others to refrain from engaging in transaction and transshipment of ICCAT species caught by vessels involved in IUU fishing activities; to inform their citizens of IUU activities and urge them not to buy fish harvested by IUU vessels; and to urge concerned business people to prevent their vessels/equipment from being used in IUU fishing operations. The measure also praises Taiwan for its efforts to control IUU fishing and urges Taiwan to continue this effort. Finally, the measure urges Japan and Taiwan to cooperate in scrapping Japan-built vessels engaged in IUU fishing activities.

At its 2000 meeting, the Commission adopted a measure that recognizes and encourages the actions being taken by Japan and Chinese Taipei to scrap Japanese-built IUU vessels and actions being taken by Chinese Taipei to re-register and control a number of vessels owned by Chinese Taipei business entities that have been engaged in IUU fishing activities. Additionally, ICCAT adopted a measure that will require all parties to submit a list of their vessels greater than 24 meters in length overall that are licensed to fish for ICCAT species. Such a "white" list should assist in the identification of vessels conducting illegal, unregulated, and unreported fishing activities.

Cooperating Parties: ICCAT adopted resolutions in 1994 and 1997 that established a process and requirements for obtaining cooperating status in ICCAT. Granting such status helps ICCAT expand and improve its control over the fisheries under its purview. Letters were sent to all non-members regarding becoming a cooperating party. In 1998, ICCAT approved formal requests by Mexico and Taiwan to be granted cooperating status. In 1999, the Commission agreed to maintain cooperating status for both parties. In its decision to confer such cooperating status, ICCAT clearly articulated that cooperating countries/economies must agree to abide by all ICCAT recommendations and that formal quota allocations are made only to ICCAT members. Further, ICCAT encouraged Mexico to join the Commission. With regard to Taiwan, the Commission underscored the need for Taiwan to continue and to strengthen its efforts to control IUU vessels owned and operated by Taiwan business entities. A letter was sent to both Mexico and Taiwan notifying them of the Commission's decision to confer cooperating status and citing some of the rights and obligations afforded by this status. No other applications for cooperating status were received in 1999.

In 2000, ICCAT received requests for cooperating status from Mexico, Chinese Taipei, and the Philippines. The Commission agreed to maintain cooperating status for Chinese Taipei and Mexico. The Philippines was also granted cooperating status for 2001. This decision was difficult given concerns about recent fishery development and fleet expansion by the Philippines. Also troublesome was the apparent flagging by the Philippines of suspected

IUU fishing vessels. (ICCAT had identified the Philippines in 1999 under its 1998 unregulated/unreported catches resolution –see above.) The Philippines, however, agreed to reduce substantially the number of vessels permitted to fish for pelagic species in the Atlantic and to de-register problem fishing vessels. The Philippines is also reporting is catches to ICCAT.

ICCAT will send a letter to those parties that were granted cooperating status for 2001 that notes the obligations associated with such status. Additionally, Chinese Taipei proposed that it be allowed automatic renewal of its cooperating status. In support of its request, Chinese Taipei noted its high and continuing level of cooperation with ICCAT and its unique political status which precludes it from joining the Commission. Consideration of this proposal was deferred until the 2001 Commission meeting at the request of China.

Other Actions: In an effort to improve ICCAT statistics, the Commission adopted at its 1999 meeting a resolution on improving recreational fishery statistics that calls on parties to provide to the SCRS specific data relating to recreational fisheries. Beginning in 2000, parties are also required to include a discussion of such data in their annual national report. In the future, SCRS will carry out an examination of the extent and impact of recreational fisheries on Atlantic tunas and tuna-like species.

In another significant action, the Commission agreed at its 2000 meeting to develop statistical document programs for swordfish and bigeye tuna. As with the bluefin tuna statistical document program, the new programs will monitor harvest and trade in these species. The data collected will improve scientific stock assessments and enhance the ability of ICCAT to develop effective conservation measures. A meeting of technical experts will be convened prior to the November 2001 ICCAT meeting to resolve issues relating to the implementation of the programs. The target date for full implementation is January 1, 2002.

Other measures adopted by ICCAT that remain in effect include: (1) a recommendation that Contracting Party fishing vessels and mother vessels can only receive at sea transshipments from other Contracting Party vessels and cooperating parties (adopted in 1997); (2) a recommendation establishing a process for reporting and taking action against stateless vessels and for reporting observed possible violations by both non-Contracting and Contracting Parties (adopted in 1997); (3) a recommendation that prohibits landing and transshipment in ICCAT member ports by non-members under certain conditions (adopted in 1998); and (4) a recommendation to address attribution of catch classified as not-elsewhere included (NEI) to the catch data (Task 1) of the appropriate ICCAT member or non-member (adopted in 1997).

Compliance Committee: At the 1995 meeting, the Commission adopted new terms of reference for its Compliance (then Infractions) Committee that strengthened the Committee's ability to evaluate compliance by Contracting Parties. These terms of reference allow the Committee to make recommendations to the Commission on how to resolve problems of non-compliance by Contracting Parties and provide for the development of measures to ensure proper application of Convention provisions, including the development of international inspection and enforcement schemes.

At its 1996 meeting, ICCAT made international fisheries management history by adopting a recommendation on Contracting Party compliance relative to quotas that are established for the Atlantic bluefin tuna fishery and the North Atlantic swordfish fishery. The measure provides a process for members to first explain how over harvests for the subject species occurred and the actions taken or to be taken to prevent further over harvests. Beginning with the 1997 management period, and in each subsequent management period, members will have to repay 100 percent of any over harvests of these stocks, and ICCAT may recommend other appropriate actions. Further, over harvests of bluefin tuna or of North Atlantic swordfish quotas during two consecutive management periods can result in other penalties, including quota reductions of at least 125 percent of the over harvest and, as a last resort, trade restrictive measures. At its 1997 meeting, the Commission agreed to extend the compliance agreement to the

South Atlantic swordfish fishery. Application of these measures was clarified at the 1998 ICCAT meeting.

Prior to the entry into force of the recommendation extending the compliance agreement to the South Atlantic swordfish fishery, Brazil, Uruguay, and South Africa formally objected to the measure. These Governments expressed concern over the possible use of trade measures to encourage compliance with ICCAT measures and with the South Atlantic swordfish quota sharing arrangement. According to the terms of the Convention, these nations are not bound by the provisions of the compliance agreement as they apply to the South Atlantic swordfish stock.

Minimum size compliance relative to all ICCAT species has been an issue for several years. Effective implementation of existing recommendations by many countries fishing in the eastern Atlantic and Mediterranean has not occurred for a variety of reasons. At the 1997 meeting, an agreement was reached that requires Contracting Parties to explain in detail minimum size over harvests and provides that, beginning in 2000, continued over harvests could result in ICCAT actions to reduce those over harvests, including but not limited to, time/area closures, assignment of small fish quotas, and/or gear restrictions.

At the 1998 ICCAT meeting, progress was made in implementing the 1996 compliance recommendation (regarding bluefin tuna and swordfish catch limits). Consistent with the provisions of the agreement, Spain and Portugal reported that they had reduced their 1998 North Atlantic swordfish quotas by the amount of their 1997 over harvests. As noted in the eastern Atlantic and Mediterranean bluefin tuna section above, harvesters of this stock took a similar action by agreeing to reduce their 1999 quotas by the amount of their 1997 catch limit over harvests. ICCAT also adopted at its 1998 meeting a U.S.-proposed reporting form that was intended to facilitate the evaluation in the future of compliance with ICCAT measures.

At the 1999 ICCAT meeting, additional progress was made in implementing the various compliance recommendations, including submission of reporting tables, although conflicting interpretations of some ICCAT measures made implementation of compliance recommendations difficult at times. Several countries reported quota overharvests and quota reductions were expected. ICCAT took note of the particular difficulty in assessing compliance with minimum size measures for some countries because of the lack of data. After extensive discussion, ICCAT members reached agreement that the data included in the ICCAT reporting tables adopted in 1998 would be used to assess compliance and that SCRS data will be used for compliance purposes only if a country does not submit reporting tables. Regarding quotas, ICCAT will develop a “Compliance Annex” from reporting tables and, once agreed, will serve as the official record of overharvests and subsequent penalties to be deducted by ICCAT members in cases of non-compliance.

The 2000 ICCAT meeting also saw delays in the submission of compliance tables. Once reported, some members altered their compliance data one or more times during the ICCAT meeting without explanation. Moreover, it became increasingly apparent that there are fundamental differences in interpretation of both ICCAT’s conservation and management measures as well as its compliance rules. As a result of the difficulties encountered in the Compliance Committee, some parties could not accept the draft summary table of future harvesting obligations developed at the 2000 ICCAT meeting. To help address some of the concerns with the compliance process, the Commission adopted a U.S. proposal to establish a working group that will meet each year prior to the ICCAT meeting to develop a summary compliance table. In addition, a recommendation was adopted to simplify rules regarding the application of quota over- and under-harvests.

Trade Actions: At its 1999 meeting, ICCAT authorized its members to take trade restrictive measures against one of its members. This is the first time such action has been agreed against a Contracting Party. The binding recommendation requires that ICCAT members prohibit the import of bluefin tuna from Equatorial Guinea pursuant to the terms of ICCAT’s compliance recommendation regarding bluefin tuna and swordfish quotas. This

action was agreed given the fact that Equatorial Guinea does not have a quota for either stock of bluefin tuna, does not report catch data to the Commission, and has not taken any steps the address concerns expressed by ICCAT in repeated communications. At this same meeting, ICCAT recognized Panama's new status as a Contracting Party and its notable and continuing efforts to control its fleet. A recommendation was adopted that lifts the import prohibition placed on bluefin tuna products from Panama that had been imposed under the Bluefin Tuna Action Plan in 1998. Panama's future compliance will be carefully evaluated under existing compliance agreements.

Actions Related to Unreported and Unregulated Fishing: In 1999, for the first time, the Commission identified ICCAT members pursuant to its "Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area," adopted in 1998. (For a description of this resolution, see the PWG section above.) Upon review of relevant information, the Commission identified three Contracting Parties (Equatorial Guinea, Republic of Guinea, and Trinidad and Tobago) as nations whose large-scale longline vessels have been fishing for ICCAT species in a manner that diminishes the effectiveness of relevant ICCAT conservation and management measures. ICCAT requested that these countries take all necessary measures to ensure that their large-scale longline vessels cease fishing operations for tuna and tuna-like species in a manner that diminishes relevant ICCAT conservation measures. The Commission considered at its 2000 meeting whether or not to recommend that trade restrictive measures be placed against any of these three ICCAT members and adopted a measure that requires its members to ban the import of bigeye tuna from Equatorial Guinea. (For actions taken under the unregulated/unreported catches resolution relative to non-members, see PWG section.)

Monitoring and Inspection: During its 1996 meeting, ICCAT agreed to begin looking at a comprehensive international monitoring and inspection scheme that could include elements such as inspections at sea, observers, a vessel monitoring system, port inspections, and vessel sightings reports. ICCAT adopted a scheme for at-sea inspection in 1975, but it has not yet entered into force. In addition, ICCAT had in place a port inspection scheme but it had not been an effective monitoring tool. While no recommendations were made to the Commission regarding preferred approaches, it was agreed that the Commission would hold an intersessional meeting on this topic May 5-7, 1997. The meeting was hosted by the United States. The May 1997 intersessional meeting on monitoring and compliance concluded negotiations with agreement on an improved ICCAT port inspection scheme, a vessel monitoring system (VMS) pilot program, restrictions on transshipment at sea, and procedures to deal with stateless vessels and for reporting vessels that may be conducting activities contrary to ICCAT conservation and management measures. These measures were adopted at the 1997 annual meeting of the Commission.

At its 2000 meeting, the Commission also agreed to hold an intersessional meeting from May 17-18, 2001, in Brussels, Belgium, to continue development of an integrated scheme that will facilitate fishery monitoring and control by ICCAT members. In support of this meeting, ICCAT adopted a resolution concerning preparation of a management standard for the large-scale tuna fishery that encourages relevant parties to consider a variety of approaches for monitoring and controlling large-scale tuna vessels.

Other Issues:

At the 1994 ICCAT meeting, Parties agreed to expand the Commission's research activities to include collection of bycatch statistics in tuna fisheries, including shark bycatch. The SCRS established a group to do this which concluded that information on shark bycatch was insufficient. The SCRS then recommended that efforts be undertaken to estimate bycatch for incorporation into ICCAT's statistical databases and to obtain more empirical evidence, such as through a scientific observer program. The Commission adopted a resolution in 1995 encouraging cooperation with FAO on the study of shark stock status and bycatch. ICCAT's Shark Working Group met in 1996 and 1997 to improve statistical information on sharks taken as bycatch in the ICCAT Convention area. In 2000, the SCRS Sub-Committee on Bycatch recommended that ICCAT take the lead in

conducting stock assessments for Atlantic blue, porbeagle, and mako sharks and that the initial stock assessment evaluations should be scheduled for 2002. To undertake this work, parties were requested to provide total catches and landings (including dead discards) of and other relevant data related to these three species.

In a significant development, the United States was successful in improving the transparency of ICCAT by getting agreement at the 1998 meeting on meaningful changes to the Commission's guidelines and criteria for granting observer status at ICCAT meetings. Among other things, these changes resulted in lower participation fees. Representatives from several non-governmental organization participated in the 1999 ICCAT meeting representing their organizations at an ICCAT meeting for the first time. The 2000 meeting saw a continuation of this participation.

Also at the 1998 meeting, ICCAT agreed, at the urging of several developing coastal states, to establish a working group to examine criteria for quota allocations. A meeting of this working group was held May 31-June 2 in Madrid, Spain. The working group made progress on the issue and three proposals were developed for consideration. ICCAT convened a second meeting of the working group on April 6-8, 2000, in Madrid, Spain, but little additional progress was made. Lack of progress in the allocation criteria development process over the last two years limited, at least in part, the ability of ICCAT to achieve long-term, meaningful conservation measures in 2000 for several important fisheries, such as eastern bluefin tuna and South Atlantic swordfish. As noted above, many of the quota management measures agreed at the 2000 ICCAT meeting will apply for only one year (2001). This will require negotiation of quota sharing arrangements and TACs for a large number of ICCAT stocks at the 2001 Commission meeting. The Commission decided that its Working Group on Allocation Criteria would meet for a third time in Brussels, Belgium, from May 21-23, 2001, in an effort to finalize criteria that should be taken into account when making quota allocations. Significant progress must be made at that meeting to help the Commission avoid in the 2001 and future meetings the difficulties encountered at the 2000 ICCAT meeting.

At its 1999 meeting, ICCAT adopted a "Resolution on the Need for New Approaches to Deter Activities that Diminish the Effectiveness of ICCAT Conservation and Management Measures." This non-binding measure proposed that ICCAT Contracting Parties, Non-Contracting Parties, Entities and Fishing Entities consider new measures and approaches to address fishing activities that diminish the effectiveness of ICCAT measures beyond those that have been adopted by ICCAT to date. It included provisions (1) endorsing the FAO initiative to develop an International Plan of Action (IPOA) on IUU fishing and encouraging all parties to participate in this undertaking; (2) encouraging all ICCAT members who have not yet done so to consider ratifying/acceding or accepting the 1995 UN Fish Stocks Agreement and 1993 FAO Compliance Agreement; and calling upon all parties to participate in efforts to ensure the sustainability of marine living resources in the ICCAT Convention area, as called for by the FAO IPOA for the Management of Fishing Capacity. At the 1999 meeting, the Commission also adopted a non-binding measure endorsing the FAO IPOA on the Management of Fishing Capacity and attaching a high priority to its implementation.

The Twelfth Special Meeting of the Commission will be held November 12-19, 2001, in Murcia, Spain. The plenary meeting of the SCRS is scheduled for October 8-12, 2001, in Madrid, Spain.

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Convention for the Conservation of Salmon in the North Atlantic Ocean (Basic Instrument for the North Atlantic Salmon Conservation Organization -- NASCO)

Basic Instrument

Convention for the Conservation of Salmon in the North Atlantic Ocean (TIAS 10789), 1982.

Implementing Legislation

Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3601).

Member Nations

Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Commission or EC, Iceland, Norway, the United States, and the Russian Federation.

Commission Headquarters

North Atlantic Salmon Conservation Organization
11 Rutland Square
Edinburgh, EH1 2AS Scotland
United Kingdom

Secretary: Dr. Malcolm Windsor
Telephone: 031-228-2551

Budget

The Convention provides that 30 percent of the Organization's budget will be borne equally by the Parties; 70 percent will be based on recent catches of salmon in intercepting fisheries. The Council adopted a budget for 2001 of £353,290 (approximately US$522,277), with a U.S. contribution of £15,441. This budget represents an increase of about 3.9 percent in real terms compared to 2000. It marks the first time a NASCO budget has increased in real terms in about ten years.

In recent years, Iceland has sought to reduce its financial contribution to NASCO and has complained about certain issues relating to Contracting Party contributions to the organization. These issues include (1) ranched salmon, (2) high levels of unreported catch, (3) the impact of salmon quota buy-outs, (4) the reduction in the number of NASCO parties, (5) catch and release in salmon fisheries, and (6) the distribution of the budget between the portion based on catch and that based on equal shares. At the 1999 NASCO meeting, Iceland tabled a proposal to initiate a process that could have resulted in recommendations to amend the NASCO Convention. This proposal was of concern to a majority of parties, and the Council asked the Secretary to review this issue in a paper. At the 2000 meeting, the Council considered the Secretary's paper that indicated there was little flexibility short of amending the Convention to address Iceland's concerns about the effects on contributions of the reduction in membership and the effects of buy-outs. With regard to the exclusion of ranched fish, the inclusion of unreported catch, and the inclusion of an element for catch and release, there might be flexibility to address these concerns without amending the Convention. To do so, however, would require changing the meaning of the term "nominal catch" in NASCO. While there was little support in the Council to make such a change, the Council asked the

Secretary to prepare a new paper containing a series of scenarios that might address some of Iceland's concerns. This paper will be considered at the 2001 meeting.

U.S. Representation

A. Appointment Process:

The Atlantic Salmon Convention Act of 1982 provides that the United States shall be represented on the Council and Commissions by three U.S. Commissioners, appointed by the President to serve at his pleasure. Of the Commissioners, one must be an official of the U.S. Government and two must be individuals (not officials of the U.S. Government) who are knowledgeable or experienced in the conservation and management of salmon of U.S. origin.

B. U.S. Commissioners:

Government Commissioner:
Position was vacant at the time of this writing.

Ray B. Owen, Jr., Ph.D.
26 Noyes Drive
Orono, Maine 04473

Robert A. Jones
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76 Deming Street
South Windsor, CT 06074

C. Advisory Structure:

The U.S. Section of NASCO was formally constituted to provide the U.S. Commissioners with advice, with particular reference to development of U.S. policies, positions, and negotiating tactics. Membership of the U.S. Section includes public and *ex officio* members. Public members are appointed by the Commissioners and serve for a term of 2 years with eligibility for an additional 2-year term. Public members are limited to 15 in number and must be persons knowledgeable or experienced in the conservation and management of salmon of U.S. origin. *Ex officio* members include:

(1) the Chair (or designee) of the New England Fishery Management Council;

(2) a representative of the fishery agency of each of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut;

(3) the Deputy Assistant Secretary of State for Oceans and Space or her representative;

(4) a representative of the National Oceanic and Atmospheric Administration, Department of Commerce; and

(5) a representative of the Fish and Wildlife Service, Department of the Interior.

In addition, the U.S. Commissioners established the U.S. Atlantic Salmon Assessment Committee, which is composed of staff from State and Federal fishery agencies. The work of this body focuses on assessing New England stocks of Atlantic salmon, proposing and evaluating research needs, and serving the U.S. Section to NASCO. Each year this body meets for an Assessment Meeting from which an assessment document is produced for the use of the U.S. Commissioners.

Description

A. Mission/Purpose:

The Convention applies to the salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal states of the Atlantic Ocean north of 36° N latitude throughout their migratory range. The purpose of NASCO is: (1) to promote the acquisition, analysis, and dissemination of scientific information pertaining to salmon stocks in the North Atlantic Ocean, and (2) to promote the conservation, restoration, enhancement, and rational management of salmon stocks in the North Atlantic Ocean through international cooperation.

B. Organizational Structure:

NASCO consists of: (1) the Council; (2) three regional Commissions (North American Commission or NAC, West Greenland Commission or WGC, and North-East Atlantic Commission or NEAC); and (3) the Secretariat. The Council (which consists of representatives of all Contracting Parties): (1) provides a forum for the study, analysis, and exchange of information on salmon stocks subject to the Convention; (2) provides for consultation and cooperation concerning salmon stocks beyond Commission areas; (3) coordinates the activities of the Commissions; (4) establishes working arrangements with the International Council for the Exploration of the Sea (ICES) and other fisheries and scientific organizations; (5) makes recommendations concerning scientific research; (6) supervises and coordinates the administrative, financial, and other internal affairs of the Organization; and (7) coordinates the Organization's external relations.

The three Commissions each have the following functions: (1) to provide for consultation and cooperation among their members; (2) to propose regulatory measures for intercepting salmon fisheries; and (3) to make recommendations to the Council concerning scientific research.

Canada and the United States are members of the NAC. Canada, the EU, the United States, and Denmark (in respect of Greenland), are members of the WGC. Denmark (in respect of the Faroe Islands), the EU, Iceland, Norway, and the Russian Federation are members of the NEAC. In the case of the NAC, the EU may submit and vote on proposals for regulatory measures concerning salmon stocks originating in the territories of its member States. Canada and the United States each have similar rights in the case of the NEAC.

C. Programs:

Scientific Advice: Scientific advice is provided to NASCO by ICES. The Advisory Committee on Fishery Management (ACFM), a standing committee within ICES, provides information on catch statistics and associated research results in response to the specific requests from NASCO. At the 1992 annual meeting, the NASCO Council established a Standing Scientific Committee (SSC), composed of a scientist and a management representative from each of NASCO's three geographic commissions, to formulate requests for future scientific advice from ICES. The SSC is designed to ensure that questions to the scientific working groups are formed to reflect accurately the information desired by managers. This arrangement is being continued as it seems to be working well.

Non-Contracting Party Fishing: Fishing for Atlantic salmon by non-Contracting Parties to the NASCO Convention has been an issue for the organization for some time. At the 1992 meeting held in Washington, D.C., the Council approved a protocol to the NASCO Convention for signature by non-Contracting Parties to NASCO. The protocol was designed to provide non-Contracting Parties with a legal instrument for the creation and enforcement of domestic legislation and regulations. It calls upon non-members to prohibit the fishing of Atlantic salmon stocks beyond the areas of fishing jurisdiction of coastal states and to take appropriate actions to enforce the provisions of the protocol. The NASCO Council also approved a resolution calling upon NASCO Parties to encourage non-Contracting Parties fishing for salmon on the high seas to comply with the protocol, and to obtain

and compile information on such fishing. The NASCO Secretariat was given the task of devising a mechanism by which parties to the NASCO Convention may approach states in which vessels observed to be fishing on the high seas for Atlantic salmon are registered and of documenting and disseminating information on high seas fishing activities contrary to the protocol.

To date, no non-Contracting Parties have become bound by the protocol, although certain non-Contracting Parties (i.e., Panama and Poland) have taken actions to address the problem of salmon harvesting vessels registered in their countries. There have been no sightings of non-Contracting Parties fishing for salmon since February 1994; however, there have been few surveillance flights conducted over the winter and spring periods preceding NASCO annual meetings. Past estimates of catch taken by non-member vessels fishing in international waters has been 25-100 metric tons (mt).

The Council considered and did not pursue a proposal to conduct a pilot project to assess the utility of radar satellite data for the detection of salmon fishing by non-Contracting Parties in international waters; however, NASCO agreed to continue to consider the usefulness of satellite surveillance systems in this regard. Toward that end, NASCO intends to hold a follow-up meeting to its 1993 meeting in the next few years with coast guard/fishery protection agencies to review the results of a study of Norwegian satellite surveillance systems. NASCO will also continue to liaise with the Northwest Atlantic Fisheries Organization and the North-East Atlantic Fisheries Commission (NEAFC) with a view to obtaining relevant information on sightings.

Unreported Catch: ICES recommended that measures be taken to improve accounting for the significantly high amount of salmon catch often reported as "guess-estimates." At its 1997 meeting, NASCO approved a proposal for refining the estimates of unreported catch and adopted a proposal that the NASCO Secretariat carry out a review on such catches. A review of catch statistics at the 1998 NASCO meeting indicated that approximately 25 percent of the total North Atlantic salmon harvest was attributable to unreported catch. To improve reporting of salmon catch statistics, the Parties agreed to provide data to ICES on a stock basis and to try to categorize this catch in accordance with specified criteria. At its 1999 meeting, NASCO noted continuing concern about the high level of unreported catches and agreed to refine the process developed in 1998 to assist in addressing this problem. At the 2000 meeting, the Council noted that estimates of unreported catches remained high (32 percent of the total 1999 salmon harvest). Illegal fishing appears to be a major contributing factor to the continuing high level of unreported catch–although not in all countries. Continuing concern was expressed about the high level of unreported catch and the Council emphasized the need to take stronger measures to address this issue. The Council asked that all parties provide a breakdown of their 2000 reported catch as this information could be useful when considering measures to minimize unreported catch. The Council also took note of the FAO initiative to develop an international plan of action (IPOA) to address illegal, unregulated, and unreported (IUU) fishing and considered additional action to combat IUU fishing might be required of NASCO in the future pursuant to this IPOA.

Research: At its 1995 Annual Meeting, NASCO first considered conditions under which research fishing by Contracting Parties might be undertaken. It was agreed that harvesting salmon for scientific research purposes could provide valuable management information; however, there was concern that such research fishing could be contrary to Article 2 of the NASCO Convention. Following the 1995 Annual Meeting, the Parties considered a resolution to establish such a procedure, but for various reasons, NASCO was not able to adopt the resolution as presented. At the 1996 Annual Meeting, the Parties considered revised resolutions on the topic and adopted a resolution setting forth a procedure to allow research fishing. The measure does not distinguish where such fishing occurs (i.e., within areas of national jurisdiction or on the high seas) and allows research fishing provided certain safeguards are observed. Prior to adoption of the resolution, NASCO had unanimously approved scientific research fishing by Canada, EU (Scotland), and Norway. Since the adoption of the resolution, NASCO has approved research fishing proposals from several of its members. The most recent proposals approved by NASCO

included a request from the EU (Scotland) to conduct research during April and May 1998 and a proposal from Norway to conduct research during the period April to October in each year from 1998-2002.

Due to concerns about marine survival of salmon, the Council agreed at its 2000 meeting to set up a working group to develop ideas for a 5-year international cooperative research program to identify and explain the causes of increased marine mortality of Atlantic salmon and to consider ways to counteract this problem. The working group met in 2000 and developed a proposed research program, which will be considered at the 2001 NASCO meeting.

Precautionary Approach: In 1997, the Council agreed to establish a working group to consider how the precautionary approach might be applied to NASCO's work. Its first meeting was held in January 1998 and representatives of ICES and FAO were invited to attend. At its 1998 annual meeting, NASCO adopted an agreement on adoption of the precautionary approach, which was largely developed at the 1998 intersessional. The key provisions of the agreement were: (a) NASCO and its Contracting Parties agree to adopt and apply a precautionary approach; (b) NASCO and its Contracting Parties should apply the precautionary approach to the entire range of NASCO salmon conservation and management activities; and (c) the application of the precautionary approach should focus on (1) management of North Atlantic salmon fisheries, (2) the formulation of management advice and associated scientific research, and (3) introductions and transfers including aquaculture impacts and possible use of transgenic salmon. To further this work, NASCO adopted the Action Plan for the Application of the Precautionary Approach to Salmon Management at its 1999 meeting. The action plan provides a framework to further implement the precautionary approach in NASCO and establishes a standing committee to oversee this work. The action plan addresses such issues as: management of fisheries; socioeconomic issues; unreported catches; scientific advice and research requirements; stock rebuilding programs; introductions, transfers, aquaculture and transgenics; habitat issues; and bycatch. The agreement by NASCO to apply the precautionary approach to its work represents a significant milestone in cooperation by the Parties. The NASCO Parties recognized that ultimate development of the precautionary approach will take many years and will seriously challenge the resources of the organization and its members.

The first meeting of the standing committee on the precautionary approach (SCPA) took place on March 21-23, 2000, in Miami, Florida. The SCPA developed general comments on interpretation of guiding principles that apply to all aspects of application of the precautionary approach to NASCO's work. The Committee developed a decision structure for use by the Council and Commissions as well as by relevant authorities of NASCO member in the management of single and mixed stock salmon fisheries. At its 2000 meeting, the Council endorsed the provisional use of the decision structures for a period of two years. Parties agreed to apply the provisional decision structures to homewater and distant water fisheries as appropriate, and to make interim reports to NASCO at its 2001 meeting. The parties will report to the SCPA in the spring 2002 to conduct a thorough review of the decision structures.

In addition to the above, the Council developed at its 2000 meeting terms of reference and charged the SCPA to focus on the application of the precautionary approach in relation to the protection and restoration of habitat and in relation to socio-economic issues. The SCPA held its second meeting to consider these issues in February 2001 (in conjunction with a meeting of the NASCO and North Atlantic salmon farming industry Liaison Group. The SCPA made progress at its February meeting and will present its results to the Council for further consideration and action.

Transgenic Salmon: The Council considered a resolution on transgenic salmon at its 1996 meeting that would begin to address concerns about the possibility that transgenic salmon (i.e. salmon that have had genes from another organism introduced into them) will interact with and negatively affect wild salmon stocks. Due to disagreements over procedure, this resolution was not adopted at or after the 1996 meeting. At its 1997 meeting,

NASCO again considered this issue. The document "Guidelines for Action on Transgenic Salmon" was adopted in lieu of a resolution. Under these guidelines, the Parties agreed to advise NASCO of any proposal to permit the rearing of transgenic salmonids, providing details of the proposed method of containment and other measures to safeguard the wild stocks. At the 2000 NASCO meeting, it was reported that a company located in Atlantic Canada is producing transgenic salmon in a secure, land-based facility. The government of Canada had not yet received a formal proposal for commercial rearing, but would take appropriate steps should such a proposal be received. The United States reported that preliminary discussions were taking place between a company rearing transgenic salmon and the U.S. Government and the the United States would keep NASCO informed of any developments. NASCO will also be considering the issue of transgenic salmon in its precautionary approach sub-body, the SCPA.

Oslo Resolution: In 1994, NASCO adopted a resolution directed at minimizing impacts from salmon aquaculture on wild salmon stocks. At its 1997 meeting, the Council agreed to hold an intersessional meeting in early 1998 of its Working Group on Implementation of the Oslo Resolution to consider further the implementation of the Resolution in light of information arising from the 1997 ICES/NASCO symposium on the interaction between cultured and wild salmon. (Information presented at the symposium suggested that the abundance of cultured salmon in the wild is large and has resulted in a mixing of fish from different populations to an extent never before seen. Such interactions could have serious adverse impacts on the wild stocks.) At the 15th annual (1998) meeting of NASCO, all of the Working Group's recommendations were adopted and the Secretary was charged with preparing a document containing both the Oslo Resolution and the newly adopted recommendations. Further, in response to one of the Working Group recommendations, the NASCO Parties submitted for review at the 1998 meeting detailed information on their efforts under the Oslo Resolution. Based on this review, NASCO decided to hold a special session, in conjunction with the 1999 NASCO annual meeting, and each year thereafter, to review and evaluate implementation of the Oslo Resolution by two individual NASCO members. In 1999, Canada and Norway made such reports. Two EC Member States made similar reports at the 2000 NASCO meeting. The United States, Iceland, and the Faroe Islands will offer presentations at the 2001 NASCO meeting. These special sessions are open to non-governmental organization participation.

In addition, NASCO has recognized the need to involve the salmon farming industry in efforts to protect the wild stocks through improved salmon farming management. Toward that end, NASCO established a Wild and Farmed Salmon Liaison Group with the International Salmon Farmer's Association (ISFA) to effect closer cooperation with the salmon farming industry. As of January 1999, the Liaison Group had met twice but progress has been slow. In addition, Liaison Group participation was limited in that not all Parties' aquaculture industries are included in the ISFA. Recognizing the need to develop closer, more open and broader cooperation, it was agreed at the 1999 NASCO meeting that the third liaison meeting should include all the aquaculture industries in the North Atlantic. This meeting was convened on February 10-11, 2000, in London, England, to discuss the development of a constitution for the Liaison Group and other issues, including establishing a working group to develop guidelines on physical containment and husbandry practices. At the 2000 NASCO meeting, the Council agreed to a constitution with the Liaison Group endorsing the commitment of NASCO and industry to work together and made suggestions for changes to the document detailing principles for cooperation between NASCO and the salmon farming industry. NASCO welcomed the draft guidelines on containment developed by a working group established by the Liaison Group but noted the need for further work to ensure these guidelines would result in a higher standard of containment. Elements on monitoring, control, and enforcement and a requirement to adopt new technology as it becomes available should be included. These issues were addressed at the February 2001 meeting of the Liaison Group, the report of which will be considered by NASCO at its 2001 meeting.

Bycatch: During its 1997 meeting, the Council requested ICES to investigate possible increases in salmon bycatch due to expansion of pelagic fisheries for herring and mackerel in the northeast Atlantic in 1997, noting that even a very small percentage of catch of salmon post-smolts could mean significant losses. At its 1998 meeting, NASCO

agreed that it needed further information on the possible bycatch of salmon in pelagic fisheries and asked the Secretariat to request such information from the Contracting Parties and from the NEAFC. At the 1999 NASCO meeting, the Parties expressed continuing concern about the bycatch issue, noted that investigations into the issue were being initiated, and again agreed to provide any available information for consideration. At the 2000 NASCO meeting, the Council referred the issue of at-sea bycatch of Atlantic salmon to the working group on marine mortality discussed under the research section above.

Joint Meetings: NASCO has expressed interest in meeting with the North Pacific Anadromous Fish Commission and the International Baltic Sea Fisheries Commission to discuss habitat and salmon management issues of mutual concern but such a meeting has not yet occurred. Such a meeting may occur in March 2002. Since the meeting would be to examine scientific issues of common concern, ICES and PICES will also be invited. Similarly, NASCO parties have agreed that a joint meeting with the International Commission for the Conservation of Atlantic Tunas, the Northwest Atlantic Fisheries Organization and the North East Atlantic Fisheries Commission would be useful, perhaps in 2002. Issues of mutual concern that could be discussed at such a meeting include implementation of the precautionary approach, control and enforcement schemes, and data collection. These possible joint meetings will be further discussed at the 2001annual meeting of NASCO.

Transparency: At its 2000 meeting the Council reviewed its relationship with observer organizations in three key areas as follows:

1. Whether to allow observers to speak in the Council (at times other than the opening session) and in the Commissions: The Council decided not to change the current rules that permit observers to speak only at the opening of the Council. However, in response to concerns expressed by some parties, the Council agreed that all of NASCO's rules on NGO participation will be reviewed in 2001.

2. Whether to allow participation by observers in intersessional meetings of the Council, Commissions, and working groups: It was clarified that observers are allowed to attend all meetings (including intersessional meetings) of the Council and Commissions, but they may not attend meetings of any working group or committee.

3. Whether to impose an observer fee and to whom it would apply: It was decided that, for the time being, an observer fee would not be imposed nor would NASCO invite voluntary contributions from observer organizations. The parties agreed that the participation by observer organizations had been of mutual benefit and enhanced the transparency of the organization.

Other Issues: During the 1997 Annual Meeting, NASCO adopted catch and release guidelines, which have now been published. NASCO is considering developing draft guidelines on stocking for future consideration.

Actions Taken by NASCO's Three Regional Commissions:

NAC Discussions/Actions: Over the last few years, Canada has reported significant new management measures for Atlantic salmon within the Canadian Exclusive Economic Zone (EEZ), including closing certain fisheries for several years and buying back and retiring commercial salmon fishing licenses. Until 1998, the commercial salmon fishery off Labrador was open, although Canada had taken steps to reduce this mixed stock, interceptory fishery through license buy-outs, delayed fishing seasons, and reduced quotas. Due to the tenuous condition of the stock, Canada placed a moratorium on its commercial Labrador interceptory fishery for the first time in 1998 and continued its moratorium on its Newfoundland commercial fishery (first implemented in 1992). A subsistence salmon fishery will continue in Labrador. Canada also announced implementation in 1998 of a voluntary buy-back program of commercial salmon licenses in the lower north shore of Quebec region. Additional restrictions were implemented for recreational fisheries throughout Atlantic Canada in 1998. In light of the 1999 scientific advice

that salmon abundance was the lowest recorded in the 1993-98 time-series and that there should be no commercial harvest in the NAC area, except in rivers where the spawning escapement had been reached or exceeded, Canada announced a three year moratorium (beginning in 1999) for the Labrador and Newfoundland commercial interceptory fisheries. At the 2000 NAC meeting, Canada reiterated that it was maintaining its closure of all east coast commercial salmon fisheries. A small commercial fishery continues in Quebec on the lower North shore of the St. Lawrence River. For 1999, Canada reported landings of about 143 mt and an additional estimated 133 mt unreported catch. Of the 143 mt figure, the aboriginal food fishery in Atlantic Canada accounted for 45 mt, fisheries on Quebec's Lower North Shore accounted for 3.6 mt and recreational fisheries in eastern Canada totaled about 94 mt.

The United States has no commercial Atlantic salmon fishery. Further, it is illegal to retain any sea-run Atlantic salmon in the United States, but there is a target harvest fishery in the Merrimack River for reconditioned brood stock. Formerly, the United States allowed a bag limit of 1 fish per year for the recreational fishery in Maine. (The season creel limit in 1994 was one grilse or 1 sea-winter salmon only and no retention of multi-sea winter salmon.) The bag limit was reduced to zero in 1994 to support further conservation efforts. Catch and release angling has been permitted in Maine in the past. In 1994, catch and release figures totaled 249 fish. The 1995 and 1996 catch and release numbers increased due to favorable fishery conditions. In 1995, 292 fish were caught and released, and in 1996, 542 sea-run Atlantic salmon were caught and released (a 46% increase over 1995). The catch and release figure for 1997 was 333 and for 1998 was 270. The preliminary figure for 1999 is 216. Salmon runs in Maine rivers remain in a severely depressed state, and Maine closed it catch and release fishery as of December 1999. At the 2000 NAC meeting, the United States reported on the closure of the directed catch and release fishery in Maine, the removal/breaching of several dams and other habitat protection efforts, and the proposed listing of the Atlantic salmon Gulf of Maine Distinct Population Segment as endangered under the U.S. Endangered Species Act.

Despite these efforts, ICES reported in 2000 that the estimate of the pre-fishery abundance of 81,861 non-maturing, one sea-winter fish was the lowest on record. ICES advice for 2000 was that there be no commercial harvest in the NAC area, except in rivers where the spawning escapement had been reached or exceeded.

The NAC discussed the harvest of salmon by St. Pierre et Miquelon (islands off the coast of Newfoundland that are French territories). St. Pierre et Miquelon had a reported catch of 837 kg in 1995, 1,568 kg in 1996, and 1,491 kg in 1997. The 1998 harvest was 2,307 kg, which represents a 55 percent increase of 1997 levels. The 1999 harvest indicated continued increase at 2,322 kg. French authorities have indicated that salmon harvests by St. Pierre et Miquelon are for subsistence purposes (meaning no salmon from the wild stock is exported). This fishery is a mixed stock fishery and because of the poor status of North American salmon runs, ICES had recommended closure of these fisheries in the NAC area. Because France is not a member of NASCO, the NAC has not been able to control the salmon harvest levels of these islands; however, Canada reported at the 1995 NAC meeting that it had completed a 10-year agreement with France in which specific reference was made to the responsibility of both France and Canada to comply with salmon conservation measures adopted by NASCO. Canada reported at the 1998 NAC meeting that French authorities have agreed to improve their reporting procedures so as to avoid future data discrepancies such as those previously noted by the NAC. (In the past, one set of statistics has been reported to NASCO by ICES and a different set has been reported by French fisheries authorities.)

In view of the strong conservation measures adopted in the United States and Canada and the continued increase in the St. Pierre et Miquelon catch in recent years, NASCO has taken steps to engage France (in respect of St. Pierre et Miquelon) on this issue. In 1999, NASCO agreed to send a letter to French authorities expressing its concern about this mixed stock salmon fishery. France responded by noting that the higher catch figures in 1998 and 1999 were due to improvements in catch reporting. The letter did not offer any signs of increased commitment from France to cooperate with NASCO. At its 2000 meeting, NASCO adopted a U.S. proposal that directs the President

of NASCO to share the resolution with France. The resolution (1) expresses concern over the level of salmon harvest in St. Pierre et Miquelon; (2) urges France to cooperate with NASCO to rebuild salmon stocks of North American origin by immediately setting harvest limits for the 2000 salmon fishery in St. Pierre et Miquelon at the lowest possible level consistent with scientific advice; and (3) requests France to inform NASCO by its 2001 annual meeting of the measures it has taken to address the concerns of NASCO to reduce the level of harvesting of salmon in St. Pierre et Miquelon in 2001 and beyond, and to provide additional details on the salmon fishery, to include licensing, reporting mechanisms and unreported catch. In addition, NASCO members were encouraged to initiate bilateral demarches in support of the resolution. Finally, the Council agreed to invite France (in respect of St. Pierre et Miquelon) to attend the 2001NASCO annual meeting as an observer. The Council will review the situation of France, including any responses received, at its 2001 meeting. The Council will also decide in 2001 whether or not to invite France to join NASCO.

The NAC also heard a report from its Scientific Working Group on Salmonid Introductions and Transfers. This Working Group developed protocols for the introduction and transfer of salmonids for stocking and aquaculture purposes, which were adopted in 1992 and were widely distributed among relevant North American agencies. Canada initiated implementation of the protocols in June 1993. Within the United States, the protocols have not been promulgated as a separate set of regulations but have been nearly fully adopted and integrated into existing state and federal policies and regulations. In 1997, the Commission approved the format of a consolidation of the protocols as outlined in the 1997 Working Group report. The Commission also approved the production of a pocket sized version of the protocols as well as a schedule for revising the protocols. This work is continuing and it was reported at the 2000 NASCO meeting that the revised protocols were undergoing consultations with respective state

and provinces, the aquaculture industry, and other interested parties. Final agency review in both the United States and Canada is expected soon. Adoption of further modifications to the protocols and the quick-reference protocol handbook is expected at future NASCO meetings.

WGC Discussions/Actions: Within the WGC, devising a management regime that could reduce interceptions of North-American origin salmon in the commercial fishery off West Greenland was the focus of U.S. efforts at the 1993 Annual Meeting. Agreement was reached in principle on a reduced 1993 quota (213 mt) and on a 5-year science-based management regime, which was later ratified by postal vote. At the time, it was agreed that quotas over the next 4 years would be derived from ICES scientific advice, on the basis of a mathematical model. The 1994 quota was set at 159 mt. It was expected that spawning escapement (of multi-sea winter fish that return from Greenland to spawn in homewater rivers in North America) would increase significantly due to this management effort.

At the 1995 annual meeting, there was disagreement concerning the use of the advice provided by ICES on the 1995 quota level for the West Greenland fishery. ICES recommended that the fishery in the WGC area be closed in 1995 instead of proceeding at the quota level derived from the abundance model. Further analysis of the model seemed to indicate that it was overestimating pre-fishery abundance levels and, therefore, any catch might have a negative impact on the number of salmon returning to North American waters. The United States and Canada encouraged the Commission to accept ICES advice; however, Denmark (in respect of Greenland) argued for a quota for West Greenland of 77 mt as provided by the original agreement. Ultimately, a 77 mt quota was adopted.

Scientific catch advice for 1996 called for a reduction of fishing mortality to the lowest possible level in the WGC area and that there should be no landings of salmon for the WGC in 1996. This advice was based on the results of applying a refined abundance model, which was developed to take into consideration the problems observed with the model in 1995. Over the course of the 1996 meeting, no agreement could be reached on the appropriate scientific model to use to arrive at a quota for West Greenland. Denmark (in respect of Greenland) argued for a

271 mt quota, while the United States, Canada, and the EU pushed for a quota in accordance with the ICES scientific advice. The meeting ended without establishment of an agreed NASCO quota. After the 1996 meeting, Denmark (in respect of Greenland) unilaterally set a quota of 174 mt and harvested 92 mt.

To avoid another impasse, discussions regarding future quota setting procedures for West Greenland took place prior to the 1997 annual meeting. This led to the adoption of an addendum to the 1993 agreement that specified that the quota allocated to West Greenland would be the higher of the Calculated Quota (as calculated according to the 1993 agreement using a pre-fishery abundance forecast at a 50 percent probability level) and the Reserve Quota, which is based on an allocation to Greenland, for 1997, of 6 percent of the forecast pre-fishery abundance level using the biological parameters provided by ICES in 1996. In accordance with the amended agreement, the WGC set a reserve quota of 57 mt which was inclusive of all forms of catch (including an estimated 20 mt of local sales and subsistence fishing). Greenland reported that its 1997 harvest was 63 mt. The slight over-harvest was due to landing reports that were submitted after the fishery was closed. The 1993 agreement, as amended, expired at the end of the 1997 salmon fishing season.

Prior to the 1998 annual meeting of NASCO, Greenland indicated its readiness to accept a 1998 quota based on application of the 1997 reserve quota formula. Use of the reserve quota system would have resulted in a 33 mt quota; however, concern was expressed by the United States and Canada that the pre-fishery abundance estimates were uncertain and likely too high. Revisions to the 1997 pre-fishery abundance indicated that, under the reserve quota formula, West Greenland would have been limited to subsistence fishing only in 1997. Because of the poor stock condition and the uncertainty surrounding the pre-fishery abundance, an agreement was reached that limited the salmon fishing activity in West Greenland to internal consumption only during 1998. In the past, this internal consumption fishery has been estimated at approximately 20 mt. The reported catch figure for 1998 was 11 mt. In addition, the Greenland Home Rule Government estimated that there was an unreported catch of about 11 tons. A key element of the 1998 agreement was recognition of improvements in salmon catch monitoring and reporting in Greenland. Significantly, Canada's action regarding Labrador (discussed in the NAC section above) together with the regulatory measure adopted for West Greenland meant that for the 1998 fishing year, commercial fisheries for Atlantic salmon in the northwest Atlantic were virtually eliminated.

During the 1999 NASCO meeting, the WGC noted scientific information indicating salmon abundance continued to decline. In fact, the WGC area prefishery abundance (PFA) estimate for 1999 was about 79,000 salmon, the lowest PFA estimate since ICES has been providing scientific advice. ICES recommended that there be no exploitation of the 1998 smolt class as non-maturing 1SW fish in North America or at Greenland in 1999, and also recommended that the class should not be exploited as mature 2SW fish in North America in 2000. Ultimately, the WGC agreed to a regulatory measure for both the 1999 and 2000 fishing seasons similar that in place during the 1998 season. Specifically, Greenland's harvest of salmon would be restricted to internal consumption purposes with no commercial exports from Greenland. As noted above, the internal consumption fishery (exclusive of unreported catch) is not expected to exceed 20 mt per year. The 1999 salmon harvest by Greenland in the WGC area was 19.5 mt. The estimate of unreported catch for the 1999 fishing season was 10-15 mt. As in past years, Denmark (in respect of Greenland) noted that the regulatory agreement reached in 1999 in no way abrogated its right to fish for salmon in West Greenland. The WGC members agreed to cooperate to improve the collecting of scientific data in West Greenland waters.

Scientific advice provided by ICES for 2000 indicated that the prefishery abundance for non-maturing one sea-winter salmon was about 180,000 salmon. This compares to the PFA estimate in 1999 of about 67,000 salmon. Disturbingly, the 2000 scientific information indicated that a dramatic shift in the proportions of the two stocks that mix off of West Greenland (North American and southern European) has been detected. For 2000, the estimated proportions of North American origin fish was 91 percent and the percent of European fish was 9 percent. Previously, the proportions were 54 percent and 46 percent, respectively. The reasons for this shift are

unknown and the Commission supported additional investigation into possible causes, including differential marine survival rates between the two stock components, differential fishery exploitation rates, and potential changes in marine survival.

Notwithstanding the increase in the PFA estimate for 2000, ICES advised that there should be no exploitation of the 1999 smolt class a non-maturing one sea winter fish in North America or West Greenland in 2000 and that the class should not be exploited as mature two sea winter fish in North America in 2001–except in rivers where the spawning escapement had been reached or exceeded. For the southern European stock component, ICES advised that extreme caution should be exercised in the management of mixed stock fisheries exploiting these stocks (i.e., in the UK and Ireland) and that reductions in exploitation rates are necessary.

Looking to the future, NASCO adopted a resolution regarding the fishing of salmon at West Greenland in 2001. The resolution provides that unless significant improvement is demonstrated in the condition of the stocks available at West Greenland, the fishery in 2001will be restricted to the lowest possible level. NASCO will consider new management measures for the West Greenland fishery at its 2001 meeting.

NEAC Discussions/Actions: The NEAC provides for the management of the intercept salmon fishery off the Faroe Islands. Although quotas have been established through NASCO for the Faroese fishery for many years, there has been no commercial fishery in the Faroe Islands since 1991. Until 1998, a private sector quota purchase arrangement bought the quota harvesting rights. In 1998, no purchase agreement was reached for the NASCO established 380 mt quota, but only a 6 mt research fishery was prosecuted. During negotiations in 1997 regarding the 1998 quota, Denmark (in respect of the Faroe Islands) stressed that it would not accept further reductions in the Faroese quota without appropriate "burden sharing" by other NEAC members. The Faroes Islands have repeatedly noted that they are a small island territory dependent on harvesting marine resources and they have insisted on a need for significant quotas. (The 1997 quota established for the Faroese fishery was 425 mt.) Ultimately, a regulatory measure was adopted for 1998 that established the 380 mt quota mentioned above and established other restrictions on season and gear. Denmark (in respect of the Faroe Islands) indicated that, if fishing licenses were granted for 1998, not more than 330 mt of the quota would be allocated. Noting the very serious condition of this stock, ICES advised in its 1998 report that great caution should be exercised regarding the exploitation of this stock. At the 1998 NASCO meeting, the NEAC agreed to a 1999 quota of 330 mt for the Faroese fishery, of which Denmark (on behalf of the Faroe Islands) agreed to harvest only 290 mt. In a significant development, the NEAC recognized the importance of establishing conservation limits on a river stock basis within the NEAC area. Rights to the the 1999 quota were not purchased by private sector interests, but no commercial fishery was prosecuted.

At the 1999 NASCO meeting, the NEAC again noted the ICES advice that great caution should be exercised regarding the exploitation of the northeast Atlantic salmon stock. After difficult negotiations, the NEAC agreed to a quota of 300 mt for the 2000 Faroese fishery, of which Denmark (with respect of the Faroe Islands) noted it would allocate no more than 260 mt. Additional restrictions to reduce fishing effort and season length and to protect undersized salmon were also agreed. At the 1999 meeting, Denmark (in respect of the Faroe Islands) announced their intention to resume a commercial harvest of salmon in 2000. The results of this fishing will be reported at the 2001 NASCO meeting. In the interim, all other members of NASCO signed a letter to the Faroe Islands expressing concern about their intent to resume commercial salmon fishing.

In its 2000 scientific advice (relative to the 2001 fishery), ICES noted that caution should be exercised regarding exploitation of most stocks found in the NEAC area. In the face of increasing evidence that the stocks in that area are declining, NEAC members, particularly the EC and Denmark (in respect of the Faroe Islands) were under increasing pressure to reduce salmon quotas and exploitation to levels consistent with scientific advice. Thus, at the 2000 NASCO meeting, the NEAC adopted a regulatory measure that lays the groundwork for more scientifically based management measures. Specifically, the measure: (1) states that the NEAC decided against

setting a quota for the Faroe Islands for 2001, (2) recognized the right of the Faroe Islands to harvest salmon within their area of jurisdiction and the restraint offered by that country in recent years by not utilizing their quotas, (3) provides that the NEAC members will work expeditiously with ICES in an effort to develop a more science based approach to quota setting. (4) provides that the NEAC will develop a fair and equitable approach to allocations, and (5) notes the intention of the Faroe Islands to manage its fishery in a precautionary manner and that fishing will be limited in scope and will be subject to close national surveillance and control. The measure agreed in 2000 for the 2001 Faroe Islands fishery signifies a major milestone as it marks a significant change from the previous practice of allocating a large "paper" quota to the Faroe Islands.

In a disturbing development first discussed in 1994, sampling of Swedish west coast rivers for the period 1988-93 showed significant and alarming decreases in abundance of salmon fry. A cause of this decrease was originally thought to be changes in environmental conditions in the Atlantic feeding areas as well as rivers. However, information eventually pointed to an outbreak of the parasite *Gyrodactylus salaris*, which was spread from stocking rivers with infected farmed fish. The NEAC agreed to establish a Working Group to examine the question of introductions and transfers of salmonids due to concerns about the potential negative effects on wild salmon stocks (such as disease transmission) associated with cultured salmon. The Working Group has been developing guidelines that are similar to the NAC Protocols. At the 1995 Annual Meeting, the Working Group submitted a report to NASCO for consideration. It was adopted, but it was determined that more work was needed on the classification of rivers and on the concept of zones designed to reduce the spread of diseases and parasites. Work proceeded in this area during 1996 and, at the 1997 meeting, the NEAC adopted a resolution to protect wild salmon from introductions and transfers, which includes recommendations on river classifications and the development of management measures; zones to protect the spread of unknown diseases and parasites; and transgenic salmon. The NEAC agreed that a regular reporting system for measures taken in accordance with the resolution should be developed and a format for this system was adopted at the 1999 NASCO meeting. At the 2000 meeting, the parties reviewed the returns made in accordance with the resolution and agreed that additional standardization of subsequent returns could make the information more useful. The Secretary will be looking into this matter in time for discussion at the 2001 NASCO meeting.

Recognizing the potential trade implications of regulating salmonid introductions and transfers, NASCO asked its Secretary to liaise with the World Trade Organization (WTO) to arrange a consultative meeting later in the year. The results of the consultations indicated that there is scope under the WTO agreements to restrict or prevent trade to protect fish life and health and to prevent or limit other damage, taking into account internationally agreed standards. NASCO is the relevant organization to deal with salmon conservation issues and the consultation had indicated that if measures are agreed to protect the wild stocks there is nothing in the WTO agreement to prevent resolution of disputes within NASCO rather than through WTO procedures.

The Council agreed to hold its Eighteenth Annual Meeting in Mondariz, Spain, June 4-8, 2001. The Nineteenth Annual Meeting of NASCO is tentatively scheduled to be held in Edinburgh, Scotland, June 3-7, 2002.

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Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (Basic Instrument for the Northwest Atlantic Fisheries Organization -- NAFO)

Basic Instrument

Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (entered into force January 1, 1979).

Implementing Legislation

Northwest Atlantic Fisheries Convention Act of 1995 (Title II of P.L.104-43).

Member Nations

Current members of NAFO include: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, the European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Romania, the Russian Federation, Ukraine, and the United States. The United States acceded to the Convention on November 29, 1995, and participated for the first time as a Contracting Party at the 1996 Annual Meeting (the United States attended earlier annual meetings as an observer).

Commission Headquarters

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Budget

NAFO adopted a budget for 2001 of Can$1,389,000, of which the U.S. contribution is expected to be approximately Can$217,891.

U.S. Representation

A. The Appointment Process:

The Northwest Atlantic Fisheries Convention Act of 1995 provides that not more than three U.S. Commissioners and not more than three U.S. Representatives to the NAFO Scientific Council (see below) shall represent the United States in NAFO. Commissioners and Representatives are appointed by the Secretary of Commerce and serve at his pleasure. Each Commissioner and Representative is appointed for a term not to exceed 4 years, but is eligible for reappointment.

Of the three Commissioners, one (but no more than one) must be an official of the U.S. Government, at least one a

representative of the commercial fishing industry, and one a voting (non-government employee) member of the New England Fishery Management Council. Commissioners must be knowledgeable and experienced concerning the fishery resources to which the NAFO Convention applies. Of the three U.S. Representatives to the NAFO

Scientific Council, at least one must be an official of the U.S. Government. All Representatives must be knowledgeable and experienced concerning the scientific issues dealt with by the Scientific Council.

B. U.S. Representatives (term expirations in parentheses):

U.S. Commissioners:

Ms. Patricia Kurkul (08/14/04)
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National Marine Fisheries Service, NOAA
1315 East-West Highway
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Mr. James D. O'Malley (07/27/03)
P.O. Box 649, 83 State Street
Narragansett, RI 02882

Mr. Jeffrey Pike (03/10/04)
2000 L Street, NW
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Washington, D.C. 20036

Representatives to the Scientific Council:

Dr. Fredric M. Serchuk (09/03/02)
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166 Water Street
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Mr. Steven J. Correia (04)
Massachusetts Division of Marine Fisheries
508 Portside Drive
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C. Advisory Structure:

The Northwest Atlantic Fisheries Convention Act of 1995 further requires that the Secretaries of Commerce and State establish jointly a Consultative Committee to advise the Secretaries on issues related to the Convention. Each member of the Consultative Committee shall serve for a term of 2 years and shall be eligible for reappointment. The membership of the Committee shall consist of representatives from the New England and Mid-Atlantic Fishery Management Councils, the States represented on those Councils, the Atlantic States Marine Fisheries Commission, the fishing industry, the seafood processing industry, and others knowledgeable and experienced in the conservation and management of fisheries in the Northwest Atlantic. There are currently ten members of the NAFO Consultative Committee.

Description

A. Mission/Purpose:

NAFO is the successor organization to the International Commission for the Northwest Atlantic Fisheries (ICNAF). Its mission is: (1) to provide for continued multilateral consultation and cooperation with respect to the study, appraisal, and exchange of scientific information and views relating to fisheries of the Convention Area and

(2) to conserve and manage fishery resources of the Regulatory Area, i.e., that part of the Convention Area which lies beyond the areas in which coastal states exercise fisheries jurisdiction. The Convention Area is located within the waters of the Northwest Atlantic ocean roughly north of 35° north latitude and west of 42° west latitude. (Note: The Convention applies to all fishery resources of the Convention Area with the exception of: salmon; tunas, swordfish, and marlins; cetacean stocks managed by the International Whaling Commission or any successor organization; and sedentary species of the Continental Shelf.)

(2) Organizational Structure:

NAFO consists of a General Council, Fisheries Commission, Scientific Council, a Secretariat, and seven standing committees. The General Council provides executive guidance for the Secretariat and provides a forum for member nations' approval of programs and regulations. The Scientific Council provides a forum for the exchange of scientific information and views relating to the fisheries of the Convention Area; compiles, maintains, and publishes statistics pertaining to the fisheries, including environmental and ecological factors in the Convention Area; provides scientific advice to coastal states when requested to do so; and provides scientific advice to the NAFO Fisheries Commission. The Fisheries Commission is responsible for the management and conservation of the fishery resources of the Regulatory Area. The Standing Committees consider and make recommendations in the areas of (1) finance and administration; (2) the fishing activities of non-Contracting Parties in the regulatory area; (3) inspection and control; (4) fishery science; (5) research coordination; (6) publications; and (7) fisheries environment.

C. Programs:

Background: NAFO has established and maintained conservation and management measures in its Regulatory Area since 1979. These measures currently include: total allowable catches (TACs) and member nation quota allocations by species; one fishing effort allocation; data recording and reporting requirements; vessel monitoring system (VMS) and observer requirements; minimum size limitations; mesh size and chafing gear requirements; and notification, registration and hailing requirements for fishing vessels operating in the NAFO Regulatory Area (NRA). In addition, NAFO has a scheme of joint international inspection and surveillance in the NRA.

The principal species managed by NAFO are cod, flounders, redfish, American plaice, Greenland halibut (turbot), capelin and shrimp. Occasionally, a significant squid fishery occurs in the Regulatory Area as well. During the late 1980s and early 1990s, unregulated fishing in the NRA by non-member States (sometimes by reflagged vessels of member States); under-reporting of catches; overharvesting by Canada of stocks that straddle the line between Canada's exclusive economic zone and the NRA; and fishing by a NAFO member under objection (the EU) all contributed to the eventual collapse of eight of the thirteen stocks managed by NAFO (the NAFO Convention provides that a management measure is not binding on any contracting party that formally objects to it). As a result, NAFO was forced to impose moratoria on fishing on these stocks in the NRA. At the 2000 annual meeting, this trend continued when the NAFO Scientific Council advised the Fisheries Commission that many NAFO-regulated species were at all-time low levels or the lowest ever recorded, and recommended that NAFO-imposed moratoria should continue for these eight stocks in 2000.

U.S. Allocations: For 2001, the United States received the following country-specific allocations in the NRA: Division 3M redfish (69 mt); Division 3L shrimp (67 mt); Subareas 3+4 illex squid (453 mt); and an effort allocation of 100 fishing days for 1 vessel for Division 3M shrimp. U.S. fishermen are also entitled to harvest, on a first-come-first-served basis, any allocation for which an “Others” category has designated, provided there is not a country-specific allocation to the United States for that fishery.

Monitoring and Enforcement: In 1995, NAFO agreed, inter alia, to implement a pilot project for 100 percent

observer coverage of all vessels fishing in the NRA and on the installation of satellite vessel monitoring systems (VMS) on 35 percent of such vessels. Additionally, new procedures were adopted for processing information from at-sea inspections; modifying the hail system to require vessels entering or leaving the NRA to have provided 6-hour advance notification and vessels transshipping at sea to have provided 24-hour advance notification; and to require NAFO Contracting Parties to inspect the fishing vessels of other Contracting Parties during port calls to verify species and quantities caught.

Since 1995, NAFO has continued to develop and strengthen its compliance and enforcement measures through discussions at both annual meetings and intersessional meetings of the Standing Committee on International Control (STACTIC). At the 1998 annual meeting, NAFO made permanent the pilot project requiring the use of observers on 100 percent of Contracting Party vessels operating in the NRA beginning in 1999. NAFO also agreed to make permanent a requirement for 100 percent use of VMS on Contracting Party vessels operating in the NRA not later than January 1, 2001. This represents an extension of the pilot project measure, which only required 35 percent VMS coverage. Further discussion of the details relating to implementation of both the observer scheme and VMS requirements are on-going in 2001.

Non-Contracting Party Fishing: At its 1997 annual meeting, NAFO adopted the "Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO." This Scheme presumes that a non-Contracting Party (NCP) vessel that has been sighted fishing in the NRA is undermining NAFO conservation and enforcement measures. If such vessels enter the ports of Contracting Parties, they must be inspected. No landings or transshipments are permitted in Contracting Party ports unless such vessels establish that certain species on board were not caught in the NRA, and for certain other species that the vessel applied the NAFO conservation and enforcement measures. Contracting Parties must report the results of inspections to NAFO and all other Contracting Parties. Coordinated joint demarches have also been made by NAFO Contracting Parties to the governments of NCPs whose vessels had been observed fishing in the NRA requesting that the activity be stopped. The NAFO Conservation and Management Measures were amended at the 1998 annual meeting in order to implement this scheme.

NAFO has had only sporadic difficulties with NCP fishing activities in recent years (only 2 NCP vessels were sighted in 1999 and none in 2000). While the adoption of the Scheme (and particularly the use of diplomatic demarches) appears to have contributed to a reduction in the activities of these vessels in the NRA, a lack of fishing opportunities may also be responsible. However, NAFO continues to close the net around vessels that would undermine its conservation and management measures. In 1999, concerns regarding the activities of vessels that appeared to be operating without nationality ("stateless vessels") led NAFO to agree: to extend the Scheme to apply to suspected vessels without nationality; that NAFO Contracting Parties may board, inspect, and apply actions in accordance with international law against such vessels; and that NAFO Parties are encouraged to "examine the appropriateness of domestic measures to exercise jurisdiction over such vessels." NAFO also agreed to demarche relevant nations to attempt to confirm the registries of a number of NCP vessels sighted fishing in the NRA, and to take measures to strengthen information sharing among relevant regional fisheries management organizations regarding the fishing activities of such vessels.

At its 2000 annual meeting, NAFO reaffirmed its commitment to address fishing by non-members. The importance of coordination with other regional fisheries management organizations and international bodies (such as the FAO) was stressed. It was agreed that NAFO should: continue to demarche relevant nations to confirm the registries of NCP vessels of concern to the Organization; enhance information sharing among relevant regional fisheries management organizations regarding the fishing activities of NCP vessels; and actively review the issue of Illegal, Unregulated and Unreported (IUU) fishing pending on-going discussions at the FAO. Additionally, information was presented that vessels of an unnamed Contracting Party were seeking permission to operate under a double flag arrangement that would allow them to more efficiently make use of quotas of two different

Contracting Parties. It was generally agreed that such double flagging is a violation of international law and that such vessels could be considered stateless.

Allocation of Fishing Rights: At the 1997 NAFO Annual Meeting, the United States offered a proposal to reform NAFO's practice of allocating fishing rights among Contracting Parties and asked for a special meeting of the Fisheries Commission to discuss it. The Fisheries Commission agreed instead to form an Allocation Working Group (WG), which first met in March 1998 to begin what will probably be a lengthy process leading to the reform of NAFO's fishing rights allocation practice. Discussion at this meeting primarily focused on whether or not the current NAFO quota allocation scheme needed revision and, if so, what range of changes should be considered. The WG agreed on guidelines for future discussions, including: exploring the meaning of the term "real interest" in relation to future new members; considering adoption of a broad strategy to guide expectations of future new members with regard to fishing opportunities in the NRA; development of a broad strategy to allocate future fishing opportunities for stocks not currently allocated; and exploring in connection with stocks under TACs possible margins to accommodate requests for fishing opportunities.

At the 1998 NAFO annual meeting, it was agreed that a second meeting of the WG should be held in April 1999. Discussion at this meeting focused on the topics agreed at the previous WG meeting, and a number Contracting Parties submitted useful working papers on these topics. These discussions resulted in some forward movement by the WG and a "Draft Resolution to Guide the Expectations of Future New Members with Regard to Fishing Opportunities in the NAFO Regulatory Area" was adopted noting that: any state may accede to the NAFO Convention; all Contracting Parties are members of the General Council; membership in the Fisheries Commission is limited to Contracting Parties who either presently fish or have an immediate intent to begin fishing in the NRA; and new Contracting Parties admitted into the Fisheries Commission can expect fishing opportunities to be limited to new fisheries or the quota allocation available to all Contracting Parties without a national quota (the "others" category) for stocks presently under TACs for the foreseeable future. This resolution was adopted at the 1999 NAFO Annual Meeting and it was agreed that the Allocation WG should meet again in March 2000.

Discussions during the 2000 meeting of the allocation working group focused to a large degree on continued development of a broad strategy for allocation of future fishing opportunities for stocks not currently allocated. The WG attempted to create non-exhaustive, non-prioritized "shopping lists" relating to both qualifying criteria and allocation criteria with regard to such opportunities. In addition, the WG examined possible opportunities for fishing opportunities on the margins of stocks currently under TAC. Much of this discussion related to the possible creation of an "others" quota. However there was no agreement regarding possible sources for such a quota, nor was it determined who should have access to the fish contained therein.

At the 2000 NAFO annual meeting, Contracting Parties examined the utility of continued work by the Working Group. The United States and others expressed strong support for continued work, noting that allocation issues pertaining to new stocks must be dealt with in a timely manner. Other Contracting Parties stated that allocative issues should be addressed only once stocks begin to recover. Following further discussion, it was decided that the Working Group would not meet in 2001. However, there was general agreement that further discussions on the allocation issue should take place during the 2002 annual meeting.

Other issues of particular importance to the United States involve implementation of the provisions of the UN Straddling Stocks Agreement dealing with the use of the precautionary approach, transparency in decision making processes and settlement of disputes.

Precautionary Approach: At the 1996 NAFO Annual Meeting, the United States introduced a draft paragraph for inclusion in the request for advice from the Fisheries Commission (FC) to the Scientific Council (SC). This paragraph noted the importance of early action to implement provisions of the precautionary approach and

requested that the SC provide a report examining specific elements of these provisions and how they might be implemented in NAFO. In the years that followed this request, support among members of the Fisheries Commission for the implementation of the precautionary approach has been guarded but generally positive. During this time the SC has, at the request of the FC (and with some FC participation): developed a conceptual framework and Action Plan for implementing the Precautionary Approach in NAFO; collaborated with other relevant fisheries organizations that had similar initiatives underway (i.e., ICES, FAO and others); held a workshop of the precautionary approach in March 1998; examined theoretical, general and specific considerations regarding NAFO stocks; examined the role of scientists and fisheries managers in relation to the Precautionary Approach; and initiated and conducted simulations of a precautionary approach to management for three categories of NAFO fish stocks.

At the May 1999 meeting of the Joint SC/FC Working Group, it was recommended that both the SC and FC consider elements in designing and formulating further action in respect to implementation of the Precautionary Approach for the three stocks used in the simulation and that similar actions be taken for other NAFO stocks with related characteristics as the implementation of the Precautionary Approach progresses. At its 1999 Annual Meeting, NAFO adopted a U.S.-proposed resolution to guide the implementation of the precautionary approach within NAFO that addresses many of the U.S. concerns. It was also agreed that the joint FC/SC Working Group should meet in 2000 to continue work on this issue. A Canadian-proposed agenda was also adopted for this meeting.

At its February 2000 meeting, the Joint SC/FC Working Group agreed on: implementation plans for applying the precautionary approach to 2 out of 3 model stocks that had been identified earlier; a similar implementation plan for 3LNO American plaice; a generic template for applying the precautionary approach to other NAFO-managed stocks; and general criteria for reopening a fishery in light of the precautionary approach. Despite this progress however, several issues of contention continue to plague the progress of the Working Group. Of particular concern are issues relating to terminology and operationalizing the precautionary approach within NAFO. At the 2000 annual meeting, these and other concerns led Contracting Parties to consider whether or not the working group should continue its work. After considerable discussion, it was agreed that a small group of technical experts will meet in the first half of 2001 to advance future work in the Fisheries Commission Working Group. A report from this meeting will be circulated to all Contracting Parties, with a recommendation whether the Working Group should meet prior to the 2002 NAFO annual meeting, and if so, provide an agenda for the meeting. Any recommendation that the Working Group meet shall be the subject of a mail vote.

Transparency: The United States first raised this issue at the 1996 NAFO Annual Meeting and a working group was created, with the United States serving as Chair, to examine applicable rules of other organizations and arrangements. Subsequent intersessional meetings of the working group in 1997 and 1998 were contentious, with the Nordic countries (i.e., Iceland, Denmark, and Norway) particularly resistant, and only limited headway was made on the issue. As a result of the difficulty of the discussions, in 1988 the Chair tabled a highly bracketed paper, "Procedures for Observers," designed to address the concerns of all parties. Although some progress was made at the 1999 working group intersessional, several disagreements remained on terms for admitting observers to NAFO meetings.

At the 1999 NAFO Annual Meeting, Canada presented a compromise text that set criteria for observer eligibility and stipulated that groups can participate in sessions of the General Council and FC unless a majority of Contracting Parties vote to exclude them. It also allowed NGOs to participate in meetings of subsidiary bodies unless one or more Contracting Parties objected. The new rules would be in place for two years, after which NAFO could evaluate the success of the program. In the end, the General Council adopted a modified version of this proposal as presented by Denmark. Observers will only be able to sit in on sessions of the General Council and Fisheries Commission, not subsidiary bodies. The NAFO Secretariat will receive applications from interested

observers and determine if they meet the eligibility criteria, which include a written statement that the organization supports the goals of NAFO. The Secretariat will then notify all Contracting Parties which groups have been deemed eligible; they will be allowed to participate unless a Contracting Party objects for cause in writing. Any objection will lead to a mail vote among all members on the issue. The guidelines stipulate that the vote be conducted according to the usual NAFO decision-making rules; we interpret this to mean that once a party makes a motion to exclude the group, it can participate unless a majority of Contracting Parties agree to exclude. As in the Canadian proposal, NAFO can reevaluate these rules any time after 2001.

Dispute Settlement: NAFO continues to explore the desirability and feasibility of establishing a formal dispute settlement procedure for the organization. A working group, chaired by Norway, has held a number of meetings to consider a proposal put forth by Canada which is designed, in effect, to limit the use of the objection procedure and to enforce those limitations through compulsory, binding dispute settlement. In response, the EU has presented various counter proposals that have broader implications for NAFO. There is a common element to all the EU proposals: each would create a dispute settlement procedure for all NAFO disputes, not just those arising from the use of the objection procedure.

At the February 1999 of the Working Group, Canada stated that it was now unsure that a dispute resolution mechanism, modeled along the way that the EU contemplates it, would be desirable. Conversely, the EU--which had originally resisted the proposal--has worked along with Norway to create a proposal whereby a broad number of disputes would initially be sent to an ad hoc dispute settlement panel (i.e. a non-binding procedure) and ultimately to binding dispute resolution as contemplated by the Fish Stocks Agreement.

At the 1999 NAFO Annual Meeting, Contracting Parties disagreed widely on the utility of continuing the Working Group. Canada argued that the UN Fish Stocks Agreement (UNFSA) is rapidly acquiring enough ratifications to enter into force. They noted that, as UNFSA includes procedures for settling disputes within regional fisheries organizations, NAFO should simply adopt those procedures. Canada did not think the DSP Working Group should continue to try to devise a separate NAFO procedure. Other Contracting Parties, most notably the EU, felt strongly that the DSP Working Group should continue. They argued that the UNFSA procedures were too slow to resolve a dispute within a single fishing season and would not apply to NAFO-regulated discrete stocks. Prompted by the United States, the General Council decided the DSP Working Group would continue, but under new terms of reference that focus on devising means to implement the UNFSA provisions in a NAFO context.

The May 2000 meeting of the DSP Working Group began with a discussion of whether the parties could agree to adopt recommendations found in a Chairman's Paper which essentially proposed incorporation by reference into the Convention, mutatis mutandis, the 1995 UN Fish Stocks Agreement. The United States and Canada supported this approach, whereas the EU, Japan, and most of the other Contracting Parties were not very sympathetic. The focus of the meeting then shifted to an EU paper distributed at the last intersessional meeting which proposed the possibility of disputing parties choosing binding dispute settlement under the 1995 UN Fish Stocks Agreement, UNCLOS or an ad hoc NAFO procedure. Out of this discussion came a Chairman's Consolidated Text which included provisions for which there was general consensus and bracketed text for which there was not consensus.

At the 2000 NAFO Annual Meeting, Contracting Parties disagreed widely on the utility of continuing the DSP Working Group. Canada adopted the new position that NAFO should simply wait for the UN Agreement on Straddling and Highly Migratory Fish Stocks (UNFSA) to enter into force, instead of attempting to devise a separate NAFO procedure. Other Contracting Parties, most notably the EU, felt strongly that the working group should continue. They continued to argue that the UNFSA procedures were too slow to resolve a dispute within a single fishing season and would not apply to NAFO-regulated discrete stocks. In an effort to further work on this issue, NAFO decided the DSP Working Group would continue its work in a meeting to be held April 24-26, 2001, in Dartmouth, Nova Scotia, Canada.

The 2001 NAFO Annual Meeting will be held September 17-21, in Varadero, Cuba.

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PACIFIC OCEAN

Convention for the Establishment of an Inter-American Tropical Tuna Commission (IATTC)

Basic Instrument

Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949 (TIAS 2044)

Implementing Legislation

Tuna Conventions Act of 1950 (64 Stat. 777), as amended (16 U.S.C., 951-961)

Member Nations

Costa Rica, Ecuador, El Salvador, France, Guatemala, Japan, Mexico, Nicaragua, Panama, the United States, Vanuatu, and Venezuela.

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Budget

As defined by the Tuna Conventions Act, the expenses of the Commission are to be shared by the Contracting Parties in relation to the proportion of the total catch from the fisheries covered by the Convention utilized by each Party. "Utilized" is defined as eaten fresh, or processed for internal consumption or export. Thus, tunas landed by a Party and subsequently exported in the round are not included in computing that Party's contribution, but those which are exported canned are included. The Party proportions are calculated from statistics compiled by Commission staff for calendar years previous (about 3 years) to the Fiscal Year (FY) budget in question. Historically, the United States has paid the bulk (80-90 percent) of the Commission's budget. However, U.S. utilization of the catch, as defined by the Convention, from the eastern Pacific Ocean (EPO) has greatly diminished since the U.S. tuna market became "dolphin safe" in mid-1994, thereby causing the U.S. required contribution to be diminished. The IATTC budget for FY 2000 is $4,713,333; the U.S. contribution was approximately $2,800,000. The budget adopted for FY2001 is $4,379,191, with the U.S. contribution to be $2,400,000. A Work Group on Finance is working to develop a new framework for determining contributions that will include a base fee and a variable fee considering utilization and participation in the fisheries, while allowing the Commission to continue functioning at its current level.

U.S. Representation

A. Appointment Process:

The Tuna Conventions Act of 1950 provides that the United States shall be represented by a total of not more than four Commissioners, of which at least one must be an officer of NOAA, one must be chosen from a nongovernmental conservation organization, and not more than one can reside elsewhere than in a state whose vessels maintain a substantial fishery in the area of the Convention. The Commissioners are appointed by and serve at the pleasure of the President.

B. U.S. Commissioners:

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C. Advisory Structure:

The Act requires the U.S. Commissioners to appoint an Advisory Committee composed of not less than 5 nor more than 15 persons selected from the groups participating in the fisheries included under the Convention and from nongovernmental conservation organizations. The terms of the Advisory Committee members are fixed by the Commissioners. The Advisory Committee members are invited to attend all non-executive meetings and given opportunity to examine and to be heard on all proposed programs, reports, recommendations, and regulations of the Commission.

Description

A. Mission/Purpose:

The IATTC was established to "(1) study the biology of the tunas and related species of the EPO with a view to determining the effects that fishing and natural factors have on their abundance, and (2) to recommend appropriate conservation measures so that the stocks of fish can be maintained at levels which will afford maximum sustainable catches." The Commission's duties were broadened in 1976 to include work on the problems arising from the tuna-dolphin relationship in the EPO. The Commission also collects and disseminates data on catch and effort of tuna fishing fleets in waters under Commission purview and collects information on implementation of and compliance with Commission recommendations

B. Organizational Structure:

The IATTC consists of a Commission composed of national sections and a Director of Investigations with associated staff. The Commission selects a Chairman and a Secretary from different national sections for 1-year

terms to be succeeded by representatives of different nationalities.

The principal duties of the Commission are (1) to study the biology of the tropical tunas, tuna baitfish, and other kinds of fish taken by tuna vessels in the EPO and the effects of fishing and natural factors upon them, and (2) to recommend appropriate conservation measures, when necessary, so that these stocks of fish can be maintained at levels which will afford the maximum sustained catches. Each national section has one vote. Approval of decisions, resolutions, recommendations and publications is only by consensus of the national sections of the Commission. National sections may consist of from one to four members appointed by the governments or the respective Contracting Parties. Each national section may establish an advisory committee which is invited to attend non-executive sessions of the Commission meetings. The Director of Investigations is appointed by the Commission and is responsible for drafting programs of investigations, budget formulation, accounting and administrative support, directing technical staff, coordinating Commission work with other organizations and preparing administrative, scientific, and other reports of the Commission.

C. Programs:

To fulfill its mission, the Commission carries out an extensive research program that collects and analyzes the information needed to support decisions by the parties to implement specific fishery conservation and management measures. This program is conducted by a permanent, internationally recruited staff selected and employed by the Director of Investigations, who is responsible to the Commission. There are two principal program areas: fishery conservation and management and dolphin conservation.

Yellowfin Tuna: The IATTC recommends proposals for joint action by the member governments aimed at maintaining yellowfin tuna resources at a high level (generally at maximum sustainable yield). From 1966 through 1979, the Commission set annual catch quotas on yellowfin tuna, usually below 200,000 mt, and member nations implemented them. Beginning in 1979, however, this conservation program was effectively nullified, in large part, because several important member countries, including Mexico, withdrew from the Commission. As a result, the remaining member nations became reluctant to agree to implement a total catch quota when there was no assurance that non-member fishing countries, such as Mexico, would abide by the quota. Nevertheless, the Commission continued to recommend an annual international yellowfin tuna catch quota within the Commission Yellowfin Regulatory Area (CYRA) as the basis for all participants in the fisheries to evaluate the conservation needs of the resource.

Member countries agreed to resume implementing the annual yellowfin tuna quota system in 1998, in part, because of the resolution of the tuna-dolphin issue (discussed below). As the productivity of the yellowfin tuna stock apparently has been quite good in recent years, the overall catch quotas for 1999 and 2000 were over 250,000 mt. The quota was reached in 1999 but not in 2000.

Bigeye Tuna: Beginning in 1998, the Commission set a catch quota for bigeye tuna in the EPO purse seine fishery out of concern that the increasing purse seine effort on floating objects and fish aggregating devices (FADs) was resulting in unsustainable harvests of small bigeye tuna. Such harvests could result in long-term damage to the productivity of the bigeye tuna stock. The 1998 and 1999 bigeye tuna quotas were set at 45,000 and 40,000 mt, respectively. The quota was not reached in 1998, but was reached in 1999. A provisional quota of 40,000 mt was set in 1999 for the 2000 purse seine fisheries, but when it became apparent that juvenile bigeye catches were not being made, the Commission agreed to close the fishery on floating objects between September 15 and December 15, 2000, to ensure adequate conservation of bigeye for the year. In addition, the Commission has twice adopted resolutions to prohibit the use of tender vessels and to prohibit the at-sea transfer of purse seine-caught tuna. These actions were taken to limit effective fishing capacity and reduce the risk of overcapacity and overfishing.

Other Fishery Issues: The Commission clearly is interested in taking an aggressive position in fishery management in the future. There are now three work groups dealing with specific fishery management issues: (1) bycatch, (2) control of the fishery on floating objects/FADs, and (3) fleet capacity. In fact, in 2000, the Commission adopted a recommendation for a one-year pilot program to reduce bycatch and waste in the purse seine fisheries by requiring

full retention of tuna and immediate discard of all non-tuna as well as special protective handling measures for sea turtles. This pilot program may be only the start of expanded efforts to ensure that bycatch is permanently reduced in the future.

In addition, there are work groups dealing with (1) potential revisions to the Convention establishing the Commission; (2) compliance with Commission recommendations; and (3) finance. It should be noted, in this context, that the Commission is aware of the need to coordinate research, data collection and management with the emerging new international arrangement for management of highly migratory species in the central and western Pacific.

Dolphin Conservation: In 1976, the Commission embarked upon an international program to address the problem of the incidental take of dolphins in the EPO tuna purse seine fishery. The Commission agreed on a policy to maintain tuna production near current levels and at the same time maintain dolphin stocks at or above levels that would ensure their survival in perpetuity. In connection with this policy, the Commission authorized a program for dolphin research which focused on (1) the recruitment and training of scientific technicians who will collect data from vessels at sea on the stocks of dolphin in the eastern Pacific and (2) workshops to evaluate and disseminate dolphin-saving techniques and gear technology. The scientific technician program was initiated in January 1979.
In 1987, the Commission also approved a resolution on the incidental take of dolphin, calling upon all interested nations whose flag vessels participate in the EPO purse-seine fishery to take appropriate steps to encourage their fishermen to employ fishing gear and procedures that have proven effective in reducing dolphin mortality. At the 1989 Annual Meeting, considerable time was spent discussing the changes in U.S. law which required the countries fishing in the region to document that they have dolphin protection programs and kill rates comparable to U.S. programs in order to export tuna to the United States.

Beginning in 1990, the IATTC scheduled a number of special meetings to explore the establishment of an international dolphin conservation program (IDCP). The objectives of such a program were (a) in the short term, to achieve a significant reduction in dolphin mortality and (b) over the long term, to make every effort to reduce dolphin mortality to insignificant levels approaching zero. Elements of the program would include: (a) annual limits on dolphin mortality; (b) 100 percent observer coverage; (c) research programs to improve existing fishing gear and techniques, to assess the dynamics of the fishery, and to develop alternative fishing methods; and (d) training programs to achieve the highest standards of performance throughout the international fleet. By the end of 1991, the United States was reassessing the most effective way of accomplishing these objectives.

Finally, at the IATTC Annual Meeting held in La Jolla, California, on June 16-18, 1992, representatives of Colombia, Costa Rica, Ecuador, Mexico, Nicaragua, Panama, Spain, the United States, Vanuatu, and Venezuela agreed on a mechanism to implement a dolphin conservation resolution adopted during an IATTC Special Meeting on April 21-23, 1992, to reduce progressively dolphin mortality in the EPO tuna purse-seine fishery to levels approaching zero through the setting of annual limits. The resolution provided a dolphin mortality limit on the international tuna fleet in the EPO at 19,500 for 1993, which was to be lowered over a 7-year period to less than 5,000 in 1999. Compliance with the new IDCP (also known as the La Jolla Agreement) was accomplished through the implementation of individual vessel quotas or DMLs (Dolphin Mortality Limits). The International Review

Panel was established to monitor vessel compliance with the new program's DMLs. The Panel is comprised of government representatives of Colombia, Costa Rica, Ecuador, Mexico, Panama, Vanuatu, Venezuela, and the United States. The Panel also includes two fishing industry and two environmental representatives, who were non-voting members selected by the government representatives. In addition, a Scientific Advisory Board was established to assist the IATTC in expanding research pertaining to (1) modifications of purse-seine gear to reduce dolphin mortalities and (2) alternative means of catching large yellowfin tuna.

The IDCP program enjoyed unexpected success. Total annual dolphin mortalities since 1993 have been below 5,000 for the EPO tuna fishery. These levels were reached much faster than was anticipated in the schedule developed by the participating nations.

Panama Declaration: The United States, Belize, Colombia, Costa Rica, Ecuador, France, Honduras, Mexico, Panama, and Spain negotiated the Panama Declaration in 1995. The Panama Declaration reaffirmed the commitments and objectives of the IDCP and, inter alia, announced the intention of the governments participating in the IDCP to strengthen and formalize it as a binding legal instrument, to be open to all coastal states bordering the EPO or states with vessels fishing tuna in the region. The signing nations agreed that, if the United States changed its Marine Mammal Protection Act (MMPA) to allow EPO yellowfin tuna to be imported from countries participating in the international dolphin conservation program, they would enter into a binding international agreement to continue dolphin protection.

Agreement on the International Dolphin Conservation Program: At a meeting of the IATTC and interested nations in February 1998, the international agreement envisioned in the Panama Declaration was concluded. The agreement entered into force on February 15, 1999, when the fourth country, Mexico, deposited its instrument of ratification with the United States, the Depositary. To date, the Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Nicaragua, Panama, Peru, United States, and Venezuela have ratified the agreement. On March 3, 1999, the U.S. Secretary of State certified to Congress that the Agreement on the IDCP was in force, and as a result, key provisions of the 1997 International Dolphin Conservation Program Act went into effect. The Act primarily amends provisions in the MMPA dealing with the EPO tuna purse seine fishery and the importation of yellowfin tuna products from nations participating in this fishery.

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Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Basic Instrument for the International Pacific Halibut Commission -- IPHC)

Basic Instrument

Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, 1953 (TIAS 2900).

Implementing Legislation

Northern Pacific Halibut Act of 1982 (as amended: 50 Stat. 325; 67 Stat. 494; 79 Stat. 902; 97 Stat. 78).

Member Nations

The United States and Canada.

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Budget

The base budget for the fiscal year running from October 1, 2000, through September 30, 2001, is $2,681,000. The budget is supplemented by funds generated by Commission staff from the sale of halibut gathered during stock assessment cruises. The United States and Canada, by treaty, contribute equal shares to fund the base budget. However, the Commission is considering additional ways to ensure that research and management programs are funded.

U.S. Representation

A. Appointment Process:

The United States is represented on the IPHC by three Commissioners who are appointed by the President for a period of 2 years (with eligibility for reappointment). Of these Commissioners, one must be a NOAA official, one must be a resident of Alaska, and one must be a nonresident of Alaska. In addition, one of these three Commissioners must be a voting member of the North Pacific Fishery Management Council. The Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S. Commissioners to the IPHC.

B. U.S. Commissioners:

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C. Advisory Structure:

There are no formal provisions for a U.S. Advisory Committee to IPHC, although informal groups made up of U.S. and Canadian industry representatives, known as the IPHC Conference Board and the Processor Advisory Group, do attend and provide recommendations to annual Commission meetings.

Description

A. Mission/Purpose:

The IPHC was created to conserve, manage, and rebuild the halibut stocks in the Convention Area to those levels which would achieve and maintain the maximum sustainable yield from the fishery.

The halibut resource and fishery have been managed by the IPHC since 1923. The IPHC was established by a Convention between the United States and Canada, which has been revised several times to extend the Commission's authority and meet new conditions in the fishery. The most recent change, a protocol, was concluded in 1979, and involved an amendment to the 1953 Halibut Convention.

"Convention waters" are defined as the waters off the west coasts of Canada and the United States, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which either Party

exercises exclusive fisheries jurisdiction. For purposes of the Convention, the "maritime area" in which a Party exercises exclusive fisheries jurisdiction includes without distinction areas within and seaward of the territorial sea or internal waters of that Party.

B. Organizational Structure:

The IPHC consists of a Commission and staff. The Commission consists of six members; three representatives appointed by each Contracting Party. All decisions of the Commission are made by a concurring vote of at least two of the Commissioners of each Contracting Party. The research programs and regulatory actions of the Commission are coordinated by the IPHC staff, in consultation with the Commissioners. The IPHC staff currently consists of over 30 employees, including fishery biologists, administrative personnel and support staff.

In addition, the Commission is advised by a Conference Board, a Processor Advisory Group (PAG), and a Research Advisory Board. The Conference Board is a panel representing U.S. and Canadian commercial and sport halibut fishers. Created in 1931 by the Commission, the Board provides the industry/sport fishermen's perspective on Commission proposals presented at Annual Meetings. Members of the Board are designated by union and vessel owner organizations from both nations. Created in 1996, the Processor Advisory Group (PAG) represents halibut processors. Like the Conference Board, the PAG lends its opinion regarding Commission proposals and offers
recommendations at IPHC Annual Meetings. In 1999, the IPHC membership created the Research Advisory Board (RAB), which consists of both fishers and processors who offer suggestions to the Director and staff on where Commission research should focus.

C. Programs:

Under the Protocol to the Convention, the Commission retains a research staff and recommends, for the approval of the Parties, regulations designed to achieve the purpose of the Convention. The Protocol provides for: (1) the setting of quotas in the Convention Area, and (2) joint regulation of the halibut fishery in the entire Convention Area under Commission regulations. Neither U.S. nor Canadian halibut fishing vessels are presently allowed to fish in the waters of the other country. In 1991, Canada implemented an individual vessel quota (IVQ) system; a similar, individual fishing quota (IFQ) system for Alaska was implemented by the United States in 1995.

D. Conservation and Management Measures:

2000 Interim Meeting: The IPHC held its Interim Meeting on November 28-29, 2000, in Seattle, Washington. At its 2000 Interim Meeting, IPHC staff and Commissioners discussed the 2000/2001 Commission budget and related financial items, preliminary reports on 2000 research activities, and fishery and management issues for the upcoming year. The IPHC staff also presented progress reports of the 2000 fishery to date. In addition, data on catches of Area 2B halibut landed at Neah Bay, by week, to be provided for the Annual Meeting. A new budget with provisional appropriation funds of $1.881 million identified in the U.S. State Department budget and a catch-based, proportional matching amount from Canada to be developed was also discussed. Staff was asked to develop a proposal to have a physiologist examine the possibility of reversing chalkiness in landed fish, through chemical or other means. A scholarship framework was agreed to be drafted.

While catch limits and stock assessments were not discussed at the 2000 Interim Meeting, it was agreed that the Commission would make recommendations for catch limits by early December. A final determination would then be made at the IPHC Annual Meeting in January 2001, with appropriate input from the Conference Board and PAG.

2001 Annual Meeting**:** The 77th Annual Meeting of the IPHC was held in Vancouver, British Columbia, on January 22-25, 2001. At the 2001 Annual Meeting, the Commission considered the input of its scientific staff, the Conference Board and the PAG, and agreed to a catch limit for 2001 totaling 73,180,000 pounds, compared to 67,500,000 pounds in 2000. This increase was the result of two major changes in the data used for the 2000 stock assessment. The first was the removal of a precautionary adjustment for a bait change in the IPHC setline surveys, that was made in the 1999 assessment. That adjustment had reduced the population estimates by 20-30% in the eastern and central Gulf of Alaska (Areas 2 and 3A). Experiments conducted during 2000 concluded that the change in baits did not require the adjustment to the time series of survey catch rates. The major increase in biomass estimated for 2001 over that for 2000 resulted from removal of this adjustment. The second major change in assessment data for this year was the general increase in survey catch rates for the central and eastern parts of the stock range, particularly in Area 3A. This increase was associated primarily with higher catches of fish up to about age 13. Weight at age also increased somewhat in Area 3A, after declining for most of the late 1980s and 1990s. However, survey catch rates were down in Area 3B and portions of Area 4. The staff has considerable uncertainty about stock productivity in Area 4 and recommended maintaining existing catch limits for the area while an improved framework for setting catch limits, that is less dependent on changes in Area 3A, is developed. Staff will report on this project at the 2002 Annual Meeting. A proposed tagging program for the stock will also provide information on exploitation rates, when tag recovery results are obtained.

Recruitment to the stock has declined in recent years from the record high levels seen during 1985-1995. Year classes originating during the 1989-1993 period appear below average in strength and while the 1993-1995 year classes have appeared generally stronger in trawl surveys, they have not yet recruited to the exploitable stock. Commission scientists also note that oceanographic indices normally associated with halibut recruitment indicate poor conditions for generation of halibut year classes in the 1998-2000 period. Stock biomass is, therefore, expected to decline from current levels although the magnitude and rate of this decline cannot be assessed yet.

2001 Catch Limits: The following catch limits (in pounds) for 2001 were adopted for Area 2A (California, Oregon, and Washington), Area 2B (British Columbia), Area 2C (southeastern Alaska), Area 3A (central Gulf), Area 3B (western Gulf), Area 4A (eastern Aleutians), Area 4B (western Aleutians), Area 4C (Pribilof Islands), Area 4D (northwestern Bering Sea), and Area 4E (Bering Sea flats):

Area	Catch Limit (Pounds)
2A (total)	1,140,000
2B	10,510,000
2C	8,780,000
3A	21,890,000
3B	16,530,000
4A	4,970,000
4B	4,910,000
4C	2,030,000
4D	2,030,000
4E	390,000
Total:	73,180,000

The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC). The NPFMC catch sharing plan in Area 4 allows the Commission to set biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E. The catch limits for the fisheries in Area 2A reflect the catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC). Area 2A catch sharing is as follows:

2A Non-treaty directed commercial fisheries (south of 2A-1)	192,926
2A Non-treaty incidental catch in salmon troll	34,046
2A Non-treaty incidental catch in sablefish fishery	47,946
2A Treaty Indian commercial	406,500
2A Treaty Indian ceremonial and subsistence (year-round)	17,500
2A Sport - North of Columbia River	214,110
2A Sport - South of Columbia River	226,972
Total	1,140,000

2001 Seasons: The staff reported to the Commission on its investigation of the biological, regulatory, enforcement, and logistical considerations associated with an extended halibut fishing season. Based primarily on concerns about interceptions of migrating fish from different regulatory areas during winter fishing and administrative concerns identified by the Parties, the staff recommended no change to the existing March 15-November 15 season.
The Commission therefore recommended that the treaty Indian commercial fishery in Area 2A, the Canadian Individual Vessel Quota (IVQ) fishery in Area 2B, and the United States Individual Fishing Quota (IFQ) fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E commence at 12 noon local time on March 15 and terminate at 12 noon local time on November 15.

In Area 2A, six 10-hour fishing periods for the non-treaty directed commercial fishery were recommended for June 27, July 11, July 25, August 8, August 22, and September 5. All fishing periods will begin at 8:00 am and end at 6:00 pm local time, and will be further restricted by fishing period limits. Fishing dates for an incidental commercial catch halibut fishery will be established under United States domestic regulations established by National Marine Fisheries Service (NMFS), and will be concurrent with salmon troll fishing seasons in Area 2A. The remainder of the Area 2A catch-sharing plan, including sport-fishing seasons, will be determined under regulations promulgated by NMFS.

2001 Regulatory Changes: The Area 2A licensing regulations remained the same as in 2000, with the exception that vessels fishing in the incidental halibut fishery concurrent with the sablefish fishery north of Point Chehalis are also required to get a commercial license from the Commission. Again, fishers must choose between a commercial or sport charter license. Commercial fishers must choose between a license for (1) retaining halibut caught incidentally during the salmon troll fishery, or (2) fishing in the directed commercial halibut (south of Point Chehalis) and/or retaining halibut caught incidentally in the primary sablefish fishery (north of Point Chehalis). The deadline dates for receiving license applications changed slightly--April 30 for the directed commercial fishery and April 2 (as March 31 is on Saturday) for the incidental halibut fishery concurrent with the salmon troll fishery. A vessel that has a commercial halibut license cannot be used for sport fishing for halibut.

The Commission adopted regulations to allow the possession of halibut fillets on board a vessel up to 6 p.m. on the calendar day following the offload, if fillets are from legally retained commercially caught halibut and the vessel is in the same port where the landing occurred.

The Commission also held extensive discussions on the present and future status of landing and holding live halibut for subsequent sale after the halibut fishing season closes. Although a Commission regulation requiring that fish be offloaded with gills and entrails removed effectively prohibits live fish landing. Canada has specifically chosen to reject this regulation. The existing Commission regulation was implemented to improve fish quality and address sampling concerns, rather than to prohibit live fish landing. The Commission will continue to

examine the issue of live fish landing but made no changes to its existing regulation requiring the dressing of fish prior to offloading. The staff will work with Canadian government authorities to ensure that the live fish holding operations in Canada meet Commission requirements concerning conservation and data capture.

Other Actions: The recommended regulations for the 2001 halibut fishery will become official as soon as they are approved by the Canadian and United States Governments. The Commission will publish and distribute regulation pamphlets.

The United States Government Commissioner, James Balsiger, was elected Chairman for the coming year. The Canadian Government Commissioner, Richard Beamish, was elected as Vice Chairman.

Future Meetings: The next Annual Meeting of the Commission will be held in Seattle, Washington from January 28-31, 2002.

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Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean (Basic Instrument for the North Pacific Anadromous Fish Commission – NPAFC)

Basic Instrument

Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, 1992 (hereafter referred to as the "Convention," Senate Treaty Document 102-30, 102d Congress, 2d Session).

Implementing Legislation

The North Pacific Anadromous Stocks Act of 1992 (Title VIII of P.L. 102-567).

Member Nations

Canada, Japan, the Russian Federation, and the United States.

Commission Headquarters

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Budget

The approved NPAFC budget for Fiscal Year (FY) 2000/2001 (July 1, 2000-June 30, 2001) is Can$594,500, with each Party contributing Can$135,000. At the Eighth Annual Meeting of the NPAFC held on October 30-November 2, 2000, in Tokyo, Japan, the Commission approved a general fund budget of Can$598,500 for FY 2001/2002. The total contribution from each Party, however, will remain the same as in FY 2000/2001, with the shortfall being offset by interest income and monies from the working capital fund.

U.S. Representation

A. Appointment Process:

The United States is represented on the Commission by not more than three U.S. Commissioners who are appointed by the President and serve at his pleasure. Each U.S. Commissioner is appointed for a term not to exceed 4 years, but is eligible for reappointment. Of the three Commissioners, one must be an official of the U.S. Government, one a resident of the State of Alaska, and the third a resident of the State of Washington. Candidates for the non-Federal Commissioner positions must be knowledgeable or experienced concerning anadromous stocks and ecologically-related species of the North Pacific Ocean.

In addition, the Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S. Commissioners to the NPAFC. The number of Alternate Commissioners that may be designated to a Commission meeting is limited to the number of authorized U.S. Commissioners that will not be present.

B. U.S. Commissioners:

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C. Advisory Structure:

The North Pacific Anadromous Stocks Act of 1992 established an Advisory Panel to the United States Section of the NPAFC. The Advisory Panel shall be composed of: (1) the Commissioner of the Alaska Department of Fish and Game; (2) the Director of the Washington Department of Fisheries and Wildlife; (3) one representative of the Pacific States Marine Fisheries Commission; and (4) 11 members (6 residents of the State of Alaska and 5 residents of the State of Washington) appointed by the Secretary of State, in consultation with the Secretary of Commerce, from among a slate of 12 persons nominated by the Governor of Alaska and a slate of 10 persons nominated by the Governor of Washington. There must be at least one representative of commercial salmon fishing interests and one representative of environmental interests on each of the Governors' slates. As is the case with NPAFC Commissioners, Advisors must be knowledgeable of North Pacific anadromous stocks and ecologically related species. Advisors serve for a term not to exceed 4 years, and may not serve more than two consecutive terms.

Description

A. Mission/Purpose:

The NPAFC serves as a forum for promoting the conservation of anadromous stocks and ecologically-related species, including marine mammals, sea birds, and non-anadromous fish, in the high seas area of the North Pacific Ocean. This area, as defined in the Convention, is "the waters of the North Pacific Ocean and its adjacent seas, north of 33° North Latitude beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured." In addition, the NPAFC serves as the venue for coordinating the collection, exchange, and analysis of scientific data regarding the above species within Convention waters. It also coordinates high seas fishery enforcement activities by member countries (the Convention prohibits directed fishing for salmonids and includes provisions to minimize the incidental take of salmonids in other fisheries in the Convention area).

B. Organizational Structure:

The NPAFC has three standing committees: the Committee on Enforcement, the Committee on Finance and Administration, and the Committee on Scientific Research and Statistics. The committees are responsible for providing accurate and timely advice to the Commission in the areas relating to the finances of the Secretariat and the scope of the enforcement activities and scientific research conducted under the auspices of the Commission.

C. Programs:

The NPAFC held its Eighth Annual Meeting on October 30-November 2, 2000, in Tokyo, Japan. Delegations from each of the member nations (Canada, Japan, the Russian Federation, and the United States) consisted of official Representatives plus a number of experts and advisors. Representatives from the North Pacific Marine Science Organization (PICES) and the International Baltic Sea Fishery Commission (IBSFC) attended the meeting as observers.

As is the norm for NPAFC Annual Meetings, the majority of the work of the Commission took place at the committee level. The recommendations of each committee on its various issues were presented to the Commission in the form of a report for its consideration. These reports were formally adopted by the Commission at its final plenary session. The major issues for each committee are briefly discussed below.

Committee on Enforcement (ENFO):

Unauthorized Fishing: The ENFO Committee reviewed unauthorized fishing activities in the Convention Area in 2000 on the basis of information provided by each of the Parties. The cooperative enforcement efforts of the Parties resulted in the detection of two vessels engaged in illegal large-scale driftnet fishing operations in or near the Convention Area. (This compared to 1999, when 10 such vessels were detected and 3 of the 10 were seized.) The United States apprehended one of the vessels, the *ARCTIC WIND*, which was registered in Honduras and crewed by Russian nationals. The second driftnet vessel was not identified and fled the area. The Russian delegation initially reported that a Russian patrol vessel intercepted a Russian driftnet vessel, the *MORSKOI DRAGON*, fishing in the Convention Area. However, the Russians later corrected the report, stating that there was no evidence that the vessel had been fishing in the Convention Area. Instead, the vessel was fined for fishing illegally in the Russian EEZ. When intercepted, the *MORSKOI DRAGON* had approximately 7.4 metric tons (mt) of chum and sockeye salmon on board.

In light of the continuing threat of unauthorized high seas salmon fishing in the Convention Area, all Parties agreed to maintain 2001 enforcement efforts at high levels to ensure a sufficient enforcement presence in the area to serve as an effective deterrent. To coordinate enforcement efforts, the Parties agreed to hold an Enforcement Planning and Coordination Meeting in Canada in January/February 2001 and an Enforcement Evaluation and Coordination Meeting in Petropavlovsk-Kamchatsky, Russia, in April/May 2001. The United States offered to host an *ad hoc* group of representatives of all the Parties to be located physically in Juneau, Alaska, for approximately one month during the height of the high seas driftnet fishing season to coordinate the patrol activities of the Parties.

Cooperation with Relevant International Organizations: The ENFO Committee recommended that the President of the NPAFC send a letter to FAO and offer the assistance of the Committee in the drafting of the International Plan of Action (IPOA) on Illegal, Unreported and Unregulated Fishing. The Committee felt that the NPAFC could offer some valuable input for the IPOA since it has been very successful from an enforcement standpoint.

Committee on Finance and Administration (F&A):

Revised Current Fiscal Year (FY) 2000/2001 Budget, Estimate for FY 2001/2002 Budget, and Budget Forecast for FY 2002/2003: Upon the recommendation of the F&A Committee, the Commission adopted a revised general fund budget of $594,500 (Canadian) for the current FY, which began on July 1, 2000. The Commission reviewed and adopted a revised budget estimate for FY 2001/2002 of $598,500. The F&A Committee also presented for the Commission's consideration for adoption at the 2001 Annual Meeting a budget forecast of $663,500 for FY 2002/2003. Annual NPAFC budget expenses currently exceed income by a small amount. This amount will steadily increase if budget forecasts prove true. Currently, the annual deficit is met by transfers from the Commission's Working Capital Fund, however, in the future an increase in the annual contribution of each of the Parties ($135,000 Canadian) may be necessary.

Committee on Scientific Research and Statistics (CSRS):

The CSRS Committee exchanged scientific research information on a broad range of issues concerning North Pacific salmonids and ecologically related species. The CSRS Committee reviewed approximately 40 documents related to scientific research activities, salmon catches, and salmon enhancement.

One of the most important accomplishments of the CSRS Committee was the adoption of a 5-year NPAFC Science Plan. The Commission will focus cooperative research priorities on three areas: (1) Bering Sea salmon research; (2) juvenile salmon research in eastern and western North Pacific waters; and (3) winter salmon research. The new plan will allow the Commission to be more responsive to the issues of salmon carrying capacity in the North Pacific Ocean and the relationship between climate change and salmon production. Workplans will be further defined at the Research Planning and Coordinating Meeting (RPCM) to be held in Seattle in March 2001.

North Pacific Salmon Production: The total preliminary commercial salmon catch for the Parties in 2000 was approximately 600,000 metric tons. (The total commercial catch in 1999 was 834,739 metric tons, of which the United States caught 418,291 metric tons). Collectively, the Parties released nearly 4.7 billion juvenile salmon into the North Pacific Ocean from hatcheries in 1999. Of this total, the United States accounted for 1.7 billion fry, or about 36 percent of the total hatchery releases.

2001 Workshop: The Parties agreed to host a 1-day workshop on Otolith Marking Technology and Applications following the RPCM in Seattle on March 21, 2001.

Other Issues:

New Deputy Director: Mr. Yoshikiyo Kondo of Japan assumed the duties of Deputy Director of the Commission on December 1, 2000. He will serve a 3-year term.

Joint NPAFC, NASCO, and IBSFC Meeting: The Commission adopted a CSRS Committee recommendation that a joint symposium with NASCO and the IBSFC be held in conjunction with the March 2002 NPAFC RPCM. Although the precise topic for the symposium has not been chosen, Parties agreed that it will focus on scientific issues common to the three organizations.

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Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon (Basic Instrument for the Pacific Salmon Commission – PSC)

Basic Instrument

Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, 1985.

Implementing Legislation

Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631).

Member States

The United States and Canada.

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Budget

The approved Commission budget for Fiscal Year 2000-2001 (April 1, 2000-March 1, 2001) is Can$2,367,255. Each Party will contribute Can$1,056,000. The remainder will be funded by carry-over, interest and other income.

U.S. Representation

A. Appointment Process:

The appointment process for U.S. members of the PSC includes several unique features. The legislation implementing the treaty specifies: "The United States shall be represented on the Commission by four Commissioners who are knowledgeable or experienced concerning Pacific salmon, to be appointed by and serve at the pleasure of the President. Of these, one shall be an official of the U.S. Government who shall be a non-voting member of the U.S. Section; one shall be a resident of the State of Alaska and shall be appointed from a list of at least six qualified individuals nominated by the Governor of that State; one shall be a resident of the States of Oregon or Washington and shall be appointed from a list of at least six qualified individuals nominated by the Governors of those States; and one shall be appointed from a list of at least six qualified individuals nominated by

the treaty Indian Tribes of the States of Idaho, Oregon, or Washington. Two of the initial appointments shall be for 2-year terms; all other
appointments shall be for 4-year terms." Legislation also provides for the designation of an Alternate Commissioner for each Commissioner. In the absence of a Commissioner, the Alternate Commissioner may exercise all functions of the Commissioner.

B. Commissioners:

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C. Advisory Structure:

No formal advisory group currently exists.

Description

A. Mission/Purpose:

The PSC's mission is to serve as a forum for cooperation between the United States and Canada in the establishment of general fishery management regimes for the international conservation and harvest sharing of intermingling North Pacific salmon stocks. Implementation of the principles of the Pacific Salmon Treaty should enable the two countries, through better conservation and enhancement, to "prevent overfishing and provide for optimum production; and provide for each Party to receive benefits equivalent to the production of salmon originating in its waters." The Commission also serves as a forum for consultation between the Parties on their salmonid enhancement operations and research programs.

B. Organizational Structure:

The Commission has a complex organizational structure which includes four regional Panels (Northern, Transboundary, Fraser River, and Southern) consisting of 23 U.S. Panel Members (15 of whom are appointed by the Secretary of Commerce). Each Panel member on the Northern, Fraser River, and Southern Panels has an Alternate Member (16 total, 9 of whom are appointed by the Secretary of Commerce). The Northern Panel's stocks of concern are those originating in rivers between Cape Suckling in Alaska and Cape Caution in British Columbia. The Transboundary Panel's stocks of concern originate in rivers in British Columbia that flow to the sea through

Southeast Alaska. The Fraser River Panel is the only panel with regulatory responsibility. It is responsible for stocks of sockeye and pink salmon originating in the Fraser River. The Southern Panel is concerned with stocks originating in rivers south of Cape Caution (not including the Fraser River).

The Panels are responsible for providing advice to the Commission on the management regimes for the intercepting salmon fisheries in those regions, i.e., those in which one or both countries intercept salmon spawned in the other country. This is done by reviewing technical data on annual fishing plans, regulations, and the salmon enhancement programs of each country. Based on the advice provided by the Panels, the PSC formulates management recommendations, including catch limits and related regulations, to present to the two governments. These recommendations become effective upon approval by both governments.

C. Programs:

On June 30, 1999, the United States and Canada signed a new Pacific Salmon Agreement, thereby resolving one of the most contentious issues in the U.S.-Canada relationship. The agreement concluded 7 years of negotiations and establishes new fishing regimes under the 1985 Pacific Salmon Treaty to protect and rebuild salmon stocks.

The long-term agreement secures a management and harvest-sharing framework for the next decade. Most of the new fishery arrangements will be in effect for 10 years, beginning in 1999. The arrangement concerning the management of Fraser sockeye and pink salmon will be in effect for 12 years, also beginning in 1999.
The agreement establishes abundance-based fishing regimes, based on run strength, for the major salmon intercepting fisheries in the United States and Canada. Larger catches will be allowed when abundance is higher and catches will be constrained in years when abundance is down. These regimes are designed to implement the conservation and harvest sharing principles of the Pacific Salmon Treaty.

Also under the agreement, two bilaterally-managed regional funds were established. The funds will be used to improve fisheries management and aid efforts to recover weakened salmon stocks. Subject to availability of appropriated funds, the United States will contribute U.S.$75 million and U.S.$65 million to a northern and southern fund, respectively, over a 4-year period. The agreement also highlights the importance of habitat protection and restoration to achieving the log-term objectives of the Parties relative to salmon. It also includes a commitment by the two countries to improve how scientific information is obtained, shared, and applied to the management of the resource.

Overview of the Agreement:

Transboundary Rivers (Chapter 1): This agreement specifies arrangements for sockeye, coho, chinook, and pink salmon management for several rivers that flow from Canada to the Pacific Ocean through the Alaskan panhandle, including the Stikine, Taku and Alsek rivers. An attachment to the agreement describes programs and associated costs for joint enhancement of sockeye salmon in the Taku and Stikine rivers.

Northern British Columbia and Southeast Alaska (Chapter 2): This agreement addresses the management of sockeye, pink and chum salmon fisheries in southeast Alaska and northern British Columbia. It specifies how the fisheries will be managed to achieve conservation and fair sharing of salmon stocks that intermingle in the border area. The fixed catch ceilings contained in the expired agreements are replaced with abundance-based provisions that allow harvests to vary from year to year depending on the abundance of salmon. Of particular note, because they resolve long-contentious issues, are agreements governing the harvest of sockeye in Alaska's purse seine fisheries near Noyes Island (District 104) and the gillnet fishery at Tree Point (District 101), and Canada's various marine net fisheries for pink salmon and its troll fishery for pink salmon in Canadian Area 1.

Chinook Salmon (Chapter 3): Because they pass through fisheries regulated by many jurisdictions in both Canada and the United States, chinook salmon have been the focus of increasing concern and controversy in recent years. Although some chinook populations are relatively healthy, particularly the "far north migrating stocks" that tend to migrate to the marine waters near Alaska to grow and mature, others have been so diminished in recent years that they have been listed by the U.S. federal government under the Endangered Species Act. The new chinook regime encompasses marine and certain freshwater fisheries in Alaska, Canada, Washington, and Oregon. All chinook fisheries will be managed based on abundance, replacing the fixed catch quotas that applied in previous regimes. Two types of fisheries have been designated: (1) those that will be managed based on the aggregate abundance of chinook salmon present in the fishery, and (2) those that will be managed based on the status of individual stocks or stock groups in the fishery.

The agreement provides a degree of flexibility to allow management agencies to decide how best to distribute the harvest impacts across their various fisheries to reflect domestic fishery priorities, provided the over-all reductions are achieved. For some chinook stocks, the total reductions will have to be much greater than the general obligation, due to the need to provide extra protection for certain very depressed stocks. The general obligation will not apply to hatchery stocks or healthy natural stocks that are achieving escapement objectives and can support harvest. In addition to predetermined harvest schedules, the agreement contains provisions that specify conditions under which even greater harvest reductions will apply. These so-called "weak stock" provisions serve as a safety valve to afford additional protection to stocks that may fail to respond to the recovery programs.

Fraser River Sockeye and Pink Salmon (Chapter 4): Although much of the structure of the previous agreements relating to the Fraser River is retained, the new agreement requires a reduction of the U.S. share of Fraser sockeye, which will be phased in by 2002. When completed, the U.S. share in Washington State will be 16.5 percent of the total allowable catch. (By way of contrast, the U.S. share specified in the first 4 years of the Pacific Salmon Treaty was approximately 26 percent.) The U.S. share of Fraser pink salmon will be 25.7 percent of the total allowable catch.

Coho Salmon (Chapter 5): The coho agreement essentially provides a blueprint and specifications (biological criteria) for a conservation-based regime for border area fisheries in southern British Columbia and Washington State. The specifics of the regime will be cooperatively and bilaterally developed in time to implement in 2001. The new regime will include rules that will establish harvest limits in specified border area fisheries. The rules will be designed to limit exploitation rates on natural coho stocks to sustainable levels, taking into account all fisheries affecting the stocks, thereby improving the long term prospects of sustainable, healthy fisheries in both countries.

Southern British Columbia and Washington State Chum Salmon (Chapter 6):. This chapter incorporates certain refinements to the provisions that trigger fisheries directed at chum salmon in the Strait of Georgia and Puget Sound. These refinements will have only a minor impact on the allocations of catches, but will improve the effectiveness of the regime. Additionally, at the request of the United States, Canada has agreed to require the live release of chum salmon in certain of its net fisheries in its southern boundary areas at those times of the year when

"summer chum"--a species recently listed as threatened under the ESA--may be present in the areas. Both countries agreed to collect better data relating to these fish.

The agreement can be found at: http://www.state.gov/www/global/oes/oceans/990630salmon_index.html

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Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea

Implementing Legislation

There is no implementing legislation for the Convention.

Parties

Japan, People's Republic of China (China), Republic of Korea (Korea), Republic of Poland (Poland), Russian Federation, and the United States.

Description

A. Mission/Purpose:

The objectives of the Convention are:

> "1. to establish an international regime for conservation, management, and optimum utilization of pollock resources in the Convention Area [the high seas area of the Bering Sea beyond the U.S. and Russian 200-mile jurisdictions];
>
> 2. to restore and maintain pollock resources in the Bering Sea at levels which will permit their maximum sustainable yield;
>
> 3. to cooperate in the gathering and examining of factual information concerning pollock and other living marine resources in the Bering Sea; and
>
> 4. to provide, if the Parties agree, a forum in which to consider the establishment of necessary conservation and management measures for other living marine resources in the Convention Area as may be required in the future."

B. Organizational Structure:

The Convention does not provide for a commission. It does, however, specify that Parties will convene an Annual Conference and establish a Scientific and Technical (S&T) Committee. The functions of the Annual Conference are, among other things, to establish an annual harvest level (AHL) for pollock in the Convention Area, establish an annual individual national pollock quota for each Party, adopt appropriate pollock conservation and management measures, establish a Plan of Work for the S&T Committee, and discuss cooperative enforcement measures and receive enforcement reports from each Party. Parties may also use the Annual Conference to determine the scope of any cooperative scientific research on, and conservation and management measures for, living marine resources other than pollock covered by the Convention.

The S&T Committee has the charge to "compile, exchange, and analyze information on fisheries harvests, fish stocks, and other living marine resources covered by this Convention in accordance with the Plan of Work established by the Annual Conference, and shall investigate other scientific matters as may be referred to it by the Annual Conference." The S&T Committee also makes recommendations to the Annual Conference regarding the

conservation and management of pollock, including the AHL.

C. Advisory Body:

No formal U.S. advisory body has been legislated for the Convention. However, the U.S. Department of State has invited the 12-member "North Pacific and Bering Sea Fisheries Advisory Body," appointed to advise the U.S. Representative to the U.S.-Russia Intergovernmental Consultative Committee (ICC), to serve informally as the advisory body. This group consists of the following individuals:

-- The Director of the Department of Fisheries and Wildlife of the State of Washington;
-- The Commissioner of the Department of Fish and Game of the State of Alaska;
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Alaska; and,
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Washington.

D. Background:

The development in the mid-to-late 1980s of an extensive pollock fishery in the central Bering Sea area of the Aleutian Basin, beyond the U.S. and Russian 200-mile zones, was of great concern to U.S. and Russian fishing interests. The United States closed a domestic fishery as a result of the adverse impact this unregulated fishery, which was being prosecuted mostly by distantwater fishing nations, was having on U.S. pollock stocks. Concern also extended to bycatch problems associated with the fishery.

The central Bering Sea pollock fishery was being conducted by trawl vessels from China, Japan, Korea, Poland, and the former Soviet Union. Catch data submitted by these countries indicated that annual harvests in the area rose to approximately 1.5 million metric tons (mt) in the years leading up to 1989. Largely due to drastic declines in catch and catch-per-unit-effort from 1990, leading to a total catch of under 300,000 mt in 1991 and under 11,000 mt in 1992, the governments involved agreed to a voluntary suspension of fishing in the area for 1993-94. During the 2-year suspension of fishing, an agreed scientific monitoring program was carried out that showed no evidence of the recovery of the resource.

On February 11, 1994, the Parties completed 3 years of negotiations and initialed the Convention on the Conservation and Management of Pollock Resources in the central Bering Sea. Its major principles include: no fishing permitted in the Convention area unless the biomass of the Aleutian Basin stock exceeds a threshold of 1.67 million mt (if the parties cannot agree on an estimate of the biomass, the estimate of the Alaska Fisheries Science Center and its Russian counterpart will be used); allocation procedures; 100 percent observer and satellite transmitter coverage; and prior notification of entry into the Convention area and of transshipment activities.

On June 16, 1994, the Convention was signed by China, Korea, the Russian Federation, and the United States. Japan and Poland signed it on August 4, 1994, and August 25, 1994, respectively. The Convention entered into force on December 8, 1995, for Russia, Poland, China, and the United States, December 21, 1995, for Japan, and January 4, 1996, for Korea.

Current Status

Representatives of the United States, Russia, Japan, Korea, China, and Poland met in Shanghai, China, on November 6-10, 2000, for the Fifth Annual Conference of the Parties to the Convention on the Conservation and

Management of Pollock Resources in the Central Bering Sea. The Conference was chaired by Prof. Zhou Ying Qi, President, Shanghai Fisheries University. The U.S. delegation was led by Dr. Richard Marasco, Alaska Fisheries Science Center, National Marine Fisheries Service. The first three days of the meeting were devoted to a Scientific and Technical (S&T) Committee meeting. Plenary sessions of the Annual Conference were conducted during the final two days.

As mentioned above, the major functions of the Convention's Annual Conference are, among other things, to establish an allowable commercial harvest (AHL) level for pollock in the central Bering Sea for the following year, establish an annual individual national pollock quota (INQ) for each Party to the Convention, adopt appropriate pollock conservation and management measures, and to establish a Plan of Work for the S&T Committee.

Status of Aleutian Basin Pollock Biomass: The Convention directs the Annual Conference to establish by consensus of the Parties the pollock AHL for the central Bering Sea for the succeeding year, based upon the assessment of the total Aleutian Basin pollock biomass by the S&T Committee. At the Fifth Annual Conference, all Parties agreed with the S&T Committee's conclusions that, despite the extensive research efforts of the Parties in 2000, there were insufficient data to directly determine the total Aleutian Basin pollock biomass. When this is the case, the Annex to the Convention allows the coastal states (the United States and Russia) to establish the biomass based on the best available scientific data. If the coastal states still have insufficient information to establish the biomass, the Annex contains a default mechanism that deems the pollock biomass of the "Specific Area," a subset of the Bogoslof Island area in the U.S. zone, to represent 60 percent of the Aleutian Basin pollock biomass. Per the Annex, if the extrapolated estimate of the total Aleutian Basin pollock biomass is less than 1.67 million metric tons (mt), the AHL is set at zero and there is no directed fishing for pollock in the central Bering Sea for the succeeding year.

The best available information in 2000 to estimate the biomass indirectly was obtained from midwater echo integration-trawl surveys conducted by the United States using the R/V *MILLER FREEMAN* and Korea using the R/V *TAMGU No. 1*. Both surveys were carried out in the Specific Area in March 2000, the Korean survey following the U.S. survey by a few days. U.S. scientists estimated the pollock biomass for the Specific Area to be 270,000 mt--nearly 123,000 mt less than the 1999 biomass estimate. The Korean survey produced an estimate for the Specific Area of 257,000 mt. Using the default mechanism mentioned above, the total Aleutian Basin pollock biomass was estimated to be 428,333-450,000 mt–approximately 1.22-1.24 million mt below the 1.67 million mt threshold that would trigger a commercial fishery pursuant to the Convention.

1999-2000 Trial Fishing: China, Korea, and Poland conducted trial fishing operations in the Convention Area in 1999-2000. Poland reported on its trial fishing cruise from August 17-30, 1999. Only two pollock, both males, were taken in 10 hauls in the Convention Area. Poland did not conduct any trial fishing in 2000. China conducted an extensive trial fishing survey with one commercial trawler from May 20-June 28, 2000. A total of 43 pollock were caught. Korea employed two commercial trawlers, one operating in the Convention Area from January 12-February 3, 2000, and the other from May 11-20, 2000. Neither vessel caught any pollock.

2000 AHL and INQ: Despite the evidence provided by 1999-2000 research and trial fishing results that pollock stocks continue to be at a very low level in the central Bering Sea, China, Korea, and Poland still attempted to get consensus on setting an AHL for 2001. They repeated many of the same arguments offered at previous Annual Conferences and workshops: (1) the Convention allows the Parties to set an AHL for any level of biomass, as long as it is done by consensus, and that such an AHL needs to be set for both biological and political reasons; (2) the 1.67 million mt "trigger" level for a commercial fishery has no scientific basis and the method to set AHLs should be changed; (3) establishing a minimum AHL, even if only a "symbolic" one, would give the Parties' fishermen hope that a commercial fishery will eventually resume in the central Bering Sea; and finally, (4) the catch data resulting from an AHL would provide valuable additional information on the pollock stock status in the Conven-

tion Area. Several of the fishing nations cited the precautionary approach as a reason for setting an AHL in the Convention Area, illustrating that the concept as defined by the UN Fish Stocks Agreement is still not well understood by many countries. The Korean delegation took the strongest position of the pro-AHL fishing nations and warned the Parties, in its opening statement, that it might withdraw from the Convention unless an AHL is established.

Russia provided an additional reason for the fishing nations to continue to push for an AHL in the Convention Area. The Russian delegation told the Parties that the biomass of pollock stocks in the Russian zone in the western Bering Sea is at the lowest level since Russia began surveying the resource. It described restrictive conservation measures Russia will take in 2001, including the banning of pollock fishing west of 174° E in the Russian zone.

Japan did not press for an AHL, per se, but presented a proposal for determining the allowable biological catch (ABC) for pollock stocks in the Convention Area from which an AHL could be determined. Japan stated up front that, given the current Aleutian Basin pollock stock situation, it would not fish on an AHL, even if one were established.

The U.S. and Russian delegations rebutted the above arguments and after it became clear to the fishing nations that there would once again be no consensus on setting an AHL for 2001, the AHL was set at zero pursuant to Article VII.2 and Part 1 of the Annex to Convention. Because the AHL was set at zero, no INQ were established.

One contentious point for the fishing nations: the United States reported that the TAC for pollock on the eastern Bering shelf in the U.S. zone actually increased in from 0.991 million mt to 1.112 million mt. This fact was not well received, given that the central Bering Sea fishery has shown no signs of recovery after 8 years of a moratorium. The fishing countries stated that as long as fishing capacity is increased in areas adjacent to the central Bering Sea, there will be no recovery of the pollock stocks in the central Bering Sea. The United States argued that fishing in the U.S. zone has not contributed to the decline of the central Bering Sea pollock stocks.

Japan said that it understood the management measures the United States has taken within its EE, that the United States has the sovereign right to control its fisheries there, and that the management measures on Aleutian Basin pollock stocks should, in principle, be decided by consensus of all the Parties. Japan said it might be difficult for U.S. fishermen to catch only eastern Bering shelf pollock in a mixed stock. Japan believes that the S&T Committee should consider other management measures to improve Aleutian Basin stocks and that one possible reason for the lack of recovery of the stocks could be other activities outside the central Bering Sea. Since there is no stricter management method that can be taken in the Convention Area to conserve stocks than a moratorium, the only alternative appears to be improvement of the conservation and management measures in adjacent areas.

Work Plan for the S&T Committee: The Work Plan for the S&T Committee for 2001 consists of (1) a survey by the U.S. R/V *MILLER FREEMAN* in the Bogoslof Island area, (2) creation of an historical catch database for the central Bering Sea, (3) planning for a cooperative research vessel survey in 2002, and (4) trial fishing in 2001. Expanding on (3) above, progress was made by the Parties on tentative plans to conduct an extensive coordinated research effort in the central Bering Sea and Aleutian Basin in 2002. Fortuitously, research vessels from three of the Parties, Japan, Korea, and the United States, will be available at approximately the same time in spring 2002 to participate in this activity. The S&T Committee agreed to form a working group to coordinate work on this comprehensive research plan.

The Establishment of the Terms and Conditions for Trial Fishing in 2001: Korea pushed hard for the voluntary reallocation of trial fishing vessels from those Parties which do not intend to conduct trial fishing operations in the Convention Area to those Parties, like Korea, who want to increase their number of trial fishing vessels. (Currently, only two vessels from each Party are allowed to conduct trial fishing operations in the Convention Area

at any given time.) The Koreans pointed out that under this proposal, there would be no overall increase in the total number of trial fishing vessels currently allowed by the Parties. Japan proposed to transfer its allocation of two trial fishing vessels to any Party that wished to utilize it. Parties could not reach consensus on the Korean proposal.

The Parties agreed that (1) the trial fishing terms and conditions for 2001 would be the same as those used in 2000 with one change, countries planning to conduct trial fishing would be allowed to give the other Parties a two week notification instead of the one month notification previously agreed to; (2) Parties should be encouraged to conduct voluntary joint trial fishing and Korea will coordinate a joint trial fishing effort of the Parties for 2001; (3) the working group looking at a comprehensive research plan for 2002 will also examine ways to improve coordinated

trial fishing efforts in the future and determine how trial fishing can be improved and factored into the comprehensive research plan in 2002; and (4) the individuals in the working group will initiate contact by December 2000 to begin their coordination and determine if an intersessional meeting of the group will be necessary.

China, Japan, Korea, and Poland indicated that they may conduct trial fishing in the Convention Area in 2001.

Central Bering Sea Management System: The Parties deferred discussion on several outstanding components of a fisheries management system (the number and priority placement of observers on fishing vessels, the number of vessels to be allowed to fish, and the fishing season) and the issue of reallocation of unused quota until such time when research cruises can provide sufficient information to make a decision regarding the fishing season.

Transparency: The Parties agreed to the same interim observer rules for 2001 that were used in 1998-2000. These rules do not address attendance by non-governmental observers, only observers from regional and intergovernmental organizations.

Sixth Annual Conference: Poland will host the Sixth Annual Conference of the Parties in Gdynia, Poland. Dr. Tomasz Linkowski, Director of the Sea Fisheries Institute, Gdynia, was named as Chairperson. Russia agreed to host the Seventh Annual Conference in 2002.

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Treaty Between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges

Implementing Legislation

Implementing legislation is in preparation.

Description

Under the Treaty, each Party allows fishing vessels of the other Party to fish for albacore tuna in waters under its fisheries jurisdiction beyond 12 nautical miles. In addition, each Party allows the albacore tuna fishing vessels of the other Party to enter its designated ports to:

1. land their catches of albacore tuna without payment of duties and

    - transship them in bond under customs supervision to any port of the flag state or
    - sell them for export in bond or
    - sell them locally on payment of the applicable customs duty and

2. obtain fuel, supplies, repairs, and equipment on the same basis as albacore tuna vessels of the other Party.

Each Party provides annually to the other Party a list of its fishing vessels that propose to fish for albacore tuna off the coast of the other Party. Vessels of each Party are to keep records of the number and weight of albacore tuna caught in the jurisdiction of the other Party and to submit such information to the flag state so that each Party can exchange this information. If required by either Party, vessels must, upon entering and at least 24 hours prior to leaving the fisheries jurisdiction of such Party, notify appropriate authorities of that Party.

Current Issues

Since the Treaty entered into force in 1982, fishing under the Treaty has tended to occur predominantly in one Party's fisheries jurisdiction or the other, according to the range and availability of the fish in that year. In recent years, fishing under the Treaty has occurred predominantly in the U.S. exclusive economic zone. Moreover, both the number of Canadian fishing vessels and their fishing effort have increased substantially in these recent years, giving rise to concerns over the balance of benefits to the respective Parties under the Treaty. Accordingly, under Article VI of the Treaty, the United States has requested consultations with Canada for the purpose of discussing limitations on the catch or effort by fishing vessels of one Party operating in the jurisdiction of the other Party.

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Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (South Pacific Tuna Treaty -- SPTT)

Implementing Legislation

South Pacific Tuna Act of 1988 (54 FR 4033, January 27, 1989; 56 FR 19312, April 26, 1991).

Parties

The United States, Australia, Cook Islands, Federates States of Micronesia (FSM), Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Samoa.

Description

The SPTT entered into force in 1988. After an initial 5-year agreement, the SPTT was renewed in 1993 and is scheduled to expire on June 14, 2003. The current agreement allows access for up to 50 U.S. purse seiners, with an option for 5 more if agreed to by all parties, to the EEZ's of the following countries: Australia, Cook Islands, FSM, Fiji, Kiribati, Marshall Islands, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, Samoa. The overall SPTT area is 10 million square miles.

The Treaty is said to be working efficiently and to the benefit of all involved. It has been viewed as a model of international and fishery cooperation. Issues that arise typically are addressed in formal annual consultations between U.S. Government and Pacific Island States representatives, or during informal discussions which also have taken place on an annual basis for the last 5 years. The Department of State has specific authority to act for the United States.

Budget

Of the total cost for access under the SPTT, the U.S. tuna industry, as coordinated by the United States Tuna Foundation (USTF), provides $4 million each year to the Forum Fisheries Agency (FFA) located in Honiara, Solomon Islands. The FFA Director and staff act as the SPTT Administrators for the Pacific Island Governments party to the agreement. The FFA deducts a small amount for treaty administration, after which 15 percent of the revenue is divided equally among FFA members, with the remaining balance (85 percent) distributed on a *pro rata* basis depending on the weight of tuna landed in each respective EEZ. The Director of the FFA is currently Feleti P. Teo (telephone: 677-21124; fax: 677-23995). The Deputy Director is Barry Pollack (barry.pollock@ffa.int). The FFA Staff Treaty Administrator is Felix Punjaboe (e-mail: felix.punjaboe@ffa.int).

Also associated with the SPTT is an economic assistance agreement between the U.S. Government (U.S. Agency for International Development) and the FFA. The U.S. Government pays $14 million, due on June 15 of each year, into an economic development fund administered by the FFA. The FFA ensures that the fund is used to support economic development programs in the region. Under the terms of the SPTT, both the U.S. tuna industry and the U.S. Government annual payments must be made before any fishing licenses will be issued.

In addition to paying access fees, the U.S. tuna industry also pays the FFA all costs associated with an agreed upon observer coverage rate of 20 percent (including training), vessel monitoring system deployment and associated recurring costs, and a regional registration fee.

Although the major beneficiaries vary from year to year, on average the Governments of Papua New Guinea, FSM, the Solomon Islands, and Kiribati receive the greatest share of the funds distributed. For the FSM and Kiribati, revenues derived from tuna access agreements can make up 30-40 percent of the total monies available to those Governments.

U.S. Administration

U.S. operational, administrative, and enforcement commitments under the SPTT are carried out by the National Marine Fisheries Service (NMFS). These responsibilities are implemented by the NMFS Southwest Regional Administrator. The NMFS Southwest Region maintains a field station in Pago Pago, American Samoa, to collect fishery data required by the SPTT, while the Southwest Fisheries Science Center (SWFSC), located in La Jolla, California, is responsible for related data collation and summarization. SPTT catch and effort data generated by U.S. purse seine vessels are sent on a bimonthly basis from the SWFSC to the FFA. The USTF also plays an integral role in the SPTT with coordination of all payments and participation in all treaty matters.

In October 1997, the NMFS Assistant Administrator approved an initiative of the Southwest Regional Admistrator to consolidate all matters relating to fishery policy and management pertinent to the western and south Pacific in the Pacific Islands Area Office (PIAO), located in Honolulu, Hawaii. The PIAO Administrator is responsible for the day-to-day administration of the SPTT.

Current Status of the U.S. Fleet

There are currently 32 U.S. vessels active in the fishery. During the previous 5 years, the average was approximately 43. Participation by U.S. vessels is on the decline. At present, there are a total of 180 purse seiners operating in the central and western Pacific (major fleets also from Japan, Korea, and Taiwan) and the capacity of Pacific Island countries, currently at 10 percent of total landings, is growing rapidly. Overall, total effort appears on the increase and in 1998 a record 1,158,300 mt were landed by purse seiners in the western, central, and south Pacific, representing more than 60 percent of world canned tuna landings. There also appears to be excess capacity in the tuna canning and processing sector.

In 1998, the U.S. fleet landed 177,000 mt--the highest since 1994. Skipjack tuna comprised 135,000 mt, with yellowfin and bigeye tuna making up the balance. Almost all of the U.S. fleet's production historically is landed in American Samoa, where there are two canneries. The recent ex-vessel price of fish has been less than $500/ton, placing the U.S. fleet in a situation where revenues may be below opportunity costs (estimated to be around $700/mt). Many vessels have joined in a marketing cooperative in an attempt to increase the price.

Current Issues

Increased capacity is of concern to the U.S. industry: With current low ex-vessel prices and coming off the largest landing year in the history of the Pacific, the U.S. fishery is in weak economic condition. The largest U.S. vessel owner went bankrupt in 1996, causing the loss of 10 vessels to the U.S. fleet. Vessel owners indicate that despite recent good fishing, making ends meet is growing increasingly difficult.

It should be noted that currently the South Pacific Commission (SPC) Oceanic Fisheries Programme believes that western, central, and southern Pacific skipjack stocks are in good condition, while yellowfin tuna stocks are fully exploited. The current condition of the bigeye tuna resource is unknown (bigeye tuna is not typically a large component of purse seine landings in the Pacific). The SPC biological assessments for skipjack and yellowfin tuna

are considered to be some of the best in the world.

Recently, the Government of Kiribati reportedly agreed to allow up to 14 additional Spanish purse seiners fish within its EEZ. The Spanish fleet reportedly includes some of the largest and most modern vessels in the world (an average U.S. seiner has approximately 1,200 mt carrying capacity–at least one of the Spanish vessels has a 3,000 mt carrying capacity). The Spanish have no history of fishing in the western Pacific.

The actions of Kiribati are in apparent conflict with recent declarations of the Multilateral High-Level Conference for the Conservation and Management of Tuna in the Western and Central Pacific process. At a recent plenary session, the Pacific Island countries put forth a resolution to cap capacity.

Shark finning: Recently, the U.S. tuna purse seine industry operating in the western and central Pacific under the auspices of the USTF, banned the practice of shark finning on all vessels.

Future Meetings: The next annual formal consultation between the Parties will be held in Apia, Samoa, on March 22-23, 2001.

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SOUTHERN OCEAN

Convention for the Conservation of Antarctic Marine Living Resources (Basic Instrument for the Commission for the Conservation of Antarctic Marine Living Resources – CCAMLR)

Basic Instrument

Convention for the Conservation of Antarctic Marine Living Resources (TIAS 10240), 1982.

Implementing Legislation

Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2431).

Member Nations

Argentina, Australia, Belgium, Brazil, Chile, European Community, France, Germany, India, Italy, Japan, Republic of Korea, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay (note: Bulgaria, Canada, Finland, Greece, Namibia, the Netherlands, and Peru have acceded to the Convention, but are not members of the Commission).

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Budget

A budget of US $1,333,908 was adopted for 2001. The increase over the 2000 budget resulted from the full introduction of the CCAMLR catch documentation scheme initiated in 2000. With reservations extended by Germany and Russia, the Commission adopted the budget. The U.S. share for the 2001 budget is $49,130, compared to $42,555 in 2000.

U.S. Representation

A. Appointment Process:

The Secretary of State, with the concurrence of the Secretary of Commerce and the Director of the National Science Foundation, appoints an officer or employee of the United States as the U.S. representative to the Commission.
The Secretary of Commerce and the Director of the National Science Foundation, with the concurrence of the

Secretary of State, designates the U.S. representative to the Scientific Committee.

B. U.S. Representative to the Commission:

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C. Advisory Structure:

The U.S. Representative to the Scientific Committee is responsible for providing scientific advice to the Commissioner on the operation of the U.S. Antarctic Marine Living Resources (AMLR) directed research program; on the status of krill, finfish, squid, marine mammal, and bird populations; on data requirements; on the long-term program of work of the Scientific Committee; and on recommendations for conservation and management measures. Permanent Working Groups on Fish Stock Assessment (WG-FSA) and Ecosystem Monitoring and Management (WG-EMM) have been constituted to develop and review research proposals and results. The Commission is currently assisted by an ad hoc Working Group on Incidental Mortality Arising from Longline Fishing (WG-IMALF).

Description

A. Mission/Purpose:

The 1982 Convention established CCAMLR for the purpose of protecting and conserving the marine living resources in the waters surrounding Antarctica. The Convention is based upon an ecosystem approach to the conservation of marine living resources and incorporates standards designed to ensure the conservation of individual populations and species and the Antarctic marine ecosystem as a whole.

The Convention applies to the Antarctic marine living resources of the area south of 60° South latitude and to the Antarctic marine living resources of the area between that latitude and the Antarctic Convergence which form part of the Antarctic marine ecosystem. The Antarctic Convergence is deemed to be a line joining the following points along parallels of latitude and meridians of longitude: 50°S, 0°; 50°S, 30°E; 45°S, 30°E; 45°S, 80°E; 55°S, 80°E; 55°S, 150°E; 60°S, 150°E; 60°S, 150°E; 60°S, 50°W; 50°S, 50°W; 50°S, 0°.

B. Organizational Structure:

CCAMLR is comprised of the Commission, Executive Secretary, and the Scientific Committee. The Commission consists of one representative from each member nation and is responsible for facilitating research, compiling data on the status of and changes in Antarctic marine living resources, ensuring the acquisition of catch and effort data, publishing information, identifying conservation needs, adopting conservation measures, and implementing a system of observation and inspection. The Executive Secretary handles the administrative matters for the Commission. The Scientific Committee is comprised of scientific advisors from the member nations. It sponsors the permanent working groups and recommends research programs and conservation and other measures to the Commission. There are working groups for Fish Stock Assessment (WG-FSA) and Ecosystem Monitoring and Management (WG-EMM).

U.S. participation on the Scientific Committee and in WG-FSA and WG-EMM is supported by the activities of the U.S. Antarctic Marine Living Resources (AMLR) Directed Research Program, conducted by the National Marine Fisheries Service's Antarctic Ecosystem Research Group (AERG), Southwest Fisheries Science Center, La Jolla, California.

C. Programs:

The Commission adopted its first conservation measures during the 1984 session (CCAMLR III). At its Nineteenth Meeting in Hobart, Tasmania, October 23 to November 3, 2000, the Commission adopted additional, or extended previously adopted, conservation measures pertaining to fishing in the CCAMLR Convention Area in Antarctic waters. These were agreed upon in accordance with Article IX of the Convention for the Conservation of Antarctic Marine Living Resources.

The measures restrict overall catches and bycatch of certain species of fish, krill, squid and crab; limit participation in several new and exploratory fisheries; restrict fishing in certain areas and to certain gear types; set fishing seasons; require vessel and gear marking; continue previously adopted reporting requirements; specify licensing and inspection obligations of Contracting Parties; encourage cooperation between Contracting Parties to ensure compliance with CCAMLR conservation measures; mandate the use of Automated Satellite-Linked Vessel Monitoring Systems (VMS) on Contracting Party vessels fishing in the Convention Area; and make minor clarifying amendments to the Catch Documentation Scheme to track and monitor trade in toothfish. The full text of CCAMLR conservation measures can be found at the Publications link to the CCAMLR website (www.ccamlr.org).

CCAMLR approved a total of 24 new conservation measures and 4 new resolutions, and agreed that an additional 39 such conservation measures and resolutions should remain in force from previous years.

The total reported catch of finfish in the Convention Area in 1999/00 was 19,283 tons, of which Dissostichus spp. (toothfish) accounted for 14,441 tons. This species was reported from subareas 48.3 (4,694 tons), 58.6 (688 tons), 58.7 (720 tons),and 88.1 (751 tons), and divisions 58.5.1 (5,009 tons) and 58.5.2 (2,579 tons). In comparison, the total reported catch of finfish was 18,094 tons in 1998/99.

Again this year, the Scientific Committee was very concerned with the substantial amount of illegal, unreported and unregulated (IUU) catch of Dissostichus spp. The estimates of total IUU catches during the 1999/00 split year (6,546 tons) was slightly larger than the 4,913 tons taken illegally during the 1998/99 split year. However, the real level of IUU catch is suspected to be greater than that estimated but it is uncertain how much greater.

The total reported catch of krill in 1999/00 was 101,286 tons compared to 103,318 tons in the 1998/99 season. The catch was taken by Argentina, Japan, Poland, Republic of Korea, Ukraine, and Uruguay in subareas 48.1, 48.2, and 48.3. The level of krill fishing is likely to remain about the same in the 2000/01 season. However,

Russia, the United States, and the United Kingdom expect to conduct fishing operations during the coming season. Argentina does not plan on fishing for krill during the coming season.

There was no reported fishing for crab or squid during the 1999/00 split year. The United Kingdom, the United States, and Uruguay indicated they expect to conduct crab fishing during the 2000/01 season and the Republic of Korea and the United Kingdom submitted a joint proposal to fish for squid, Martialia hyadesi, during the 2000/01 season.

The assessment of incidental mortality arising from the longline fisheries (IMALF) was reviewed. The estimated potential seabird by-catch in the unregulated fishery for the whole convention area ranged from 26,400 to 68,300 birds in 1999/00, compared to estimates of 18,000 to 59,000 in 1998/99. These values between years are similar, given the uncertainties and assumptions involved in the calculations.

For the 2000/01 season, a total of nine new or exploratory longline or trawl fisheries were notified to fish for Dissostichus spp. In addition, the United Kingdom submitted a notification of research activity where the total catch is expected to be greater than 50 tons. All were received on or before the due date.

D. Activities and Meetings

The CCAMLR Scientific Committee will hold the following intersessional meetings:

Second CCAMLR-2000 Survey Analysis Workshop on krill abundance in Statistical Area 48
May-June 2001
United Kingdom

Working Group on Ecosystem Monitoring and Management (WG-EMM)
June 25 - July 6, 2001
Kristineberg Marine Research Station, Sweden

Workshop on Approaches for the Management of Icefish
October 3-5, 2001
Hobart, Tasmania, Australia

Working Group on Fish Stock Assessment (WG-FSA), including the Ad hoc Working Group in the Incidental Mortality of Seabirds in Longline Fishing (IMALF)
October 8-18, 2001
Hobart, Tasmania, Australia

The next annual meeting of the Commission is October 22 - November 2, 2001 in Hobart, Tasmania, Australia. The United States, United Kingdom, Japan, and Russia will cooperate during January-February 2000 in a survey of krill abundance in Statistical Area 48 (CCAMLR-2000 Survey). A key result of the survey will be an estimate of krill biomass that will be used in the krill yield model (KYM) to set a new precautionary catch limit in Area 48 (the Atlantic sector).

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Convention for the Conservation of Antarctic Seals (CCAS)

Basic Instrument

Convention for the Conservation of Antarctic Seals (29 UST 441, TIAS 8826)

Implementing Legislation

None.

Member Nations

Argentina, Australia, Belgium, Chile, France, the Federal Republic of Germany, Japan, Norway, Poland, South Africa, the Russian Federation, the United Kingdom, and the United States of America.

Commission Headquarters

The Convention did not establish a Commission. The United Kingdom serves as the Depositary Government.

Budget

None.

U.S. Representation

The United States is represented at Meetings of Contracting Parties to the Convention by a delegation, headed by the Department of State and including representatives of the National Marine Fisheries Service, the Marine Mammal Commission, and the environmental community.

Description

A. Mission/Purpose

The Convention for the Conservation of Antarctic Seals was signed in London on February 11, 1972. It entered into force on March 11, 1978, and calls for Contracting Parties to meet within 5 years of entry into force, and at

least every 5 years thereafter, to review the operation of the Convention. The purpose of the Convention is to promote and achieve the objectives of protection, scientific study and rational use of Antarctic seals, and to maintain a satisfactory balance within the ecological system.

The Convention applies to the seas south of 60° South Latitude, in respect of which the Contracting Parties affirm the provisions of Article IV of the Antarctic Treaty.

B. Organizational Structure

There is no Commission. The Scientific Committee on Antarctic Research (SCAR) of the International Council of Scientific Unions, through its Group of Specialists on Seals, receives reports from and advises the Contracting Parties on the number of seals killed or captured, the status of stocks, and the need, if any, for conservation and management measures.

C. Programs

Because there had been no commercial sealing in the Antarctic after the Convention entered into force in 1978, an offer by the United Kingdom, as Depositary Government, to host a 1983 meeting of Parties, was declined. The first and, to date, only meeting of Parties, held in 1988, was occasioned by a 1986/87 Soviet commercial sealing expedition and research cruise.

The 1988 meeting limited its recommendations to amendments to the Annex to the Convention or to Contracting Parties and other institutional action independent of the terms of the Convention. The Meeting agreed that Contracting Parties should restrict the number of seals killed or captured by special permit. It also agreed to encourage cooperative planning among holders of special permits for scientific research and detailed the scientific information which should be reported. The meeting recommended that the Annex be amended to increase the period of notification by a Contracting Party to other Contracting Parties prior to leaving home port for a commercial sealing expedition from 30 to 60 days. The final report of the meeting noted, however, that Contracting Party countries are unlikely to engage in commercial sealing in the foreseeable future.

In 1992, the United Kingdom proposed, but the Parties did not feel it necessary, to hold a further meeting. In October 1993, the United Kingdom hosted an informal meeting of the Parties to review the operation of the Convention. The meeting was held in the margins of the twelfth meeting of the Commission for the Conservation of Antarctic Marine Living Resources. As a result, the Parties noted the need to: improve the submission and exchange of data; endorse scientific programs on seal research; provide SCAR with contact points of CCAS parties; and circulate copies of reports from the SCAR Group of Specialists to CCAS Parties. In response to an inquiry, the United Kingdom confirmed that the recommendations adopted by the 1988 Meeting of Parties entered into force on March 27, 1990.

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GREAT LAKES

Convention on Great Lakes Fisheries Between the United States and Canada (Basic Instrument for the Great Lakes Fishery Commission – GLFC)

Basic Instrument

Convention on Great Lakes Fisheries between the United States and Canada signed September 10, 1954; entered into force October 11, 1955. 6 UST 2836; TIAS 3326; 238 UNTS 97.

Implementing Legislation

Great Lakes Fisheries Act of 1956 (16 USC 932).

Member Nations

U.S. and Canada.

Commission Headquarters

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Web address: http://www.glfc.org

Budget

The Commission approved a budget of $16.1 million for FY 2001. The U.S. contribution is $11.7 million.

U.S. Representation

A. Appointment process:

The United States is represented by four Commissioners appointed by the President. Of the Commissioners, one is to be an official of the U.S. Government and three are individuals who reside in different Great Lakes States and who are knowledgeable regarding the fisheries of the Great Lakes; one of these three must be an official of a Great Lakes state. The term of office for Commissioners is 6 years, except for the Commissioner representing the U.S. Government, who is appointed "at pleasure." The President also appoints an Alternate Commissioner who performs the duties of a Commissioner in the absence of a Commissioner, or when a Commissioner vacancy occurs. The Alternate Commissioner is also appointed "at pleasure." There are no set guidelines for the nomination process. The U.S. Commissioners do not receive compensation.

B. U.S. Commissioners:

Federal Commissioner (vacant)	Alderman, 44th Ward City of Chicago
Bernard J. Hansen (Chair)	(appointed September 16, 1994)

Dr. Roy A Stein
Director, Aquatic Ecology Lab
Ohio State University
(appointed September 1, 1998)

Joseph Day
Executive Director, Indian Affairs Council
State of Minnesota
(appointed November 21, 1997)
David Dempsey
Michigan Environmental Council
Lansing, Michigan
(Appointed September 16, 1994)

C. Advisory structure:

The Great Lakes Fishery Act of 1956 requires establishment of an advisory committee for each of the Great Lakes. Appointments are proposed by governors of each Great Lakes state, giving due consideration to the interests of state agencies with fisheries management jurisdiction, the commercial fishing industry, sports fishing, and the public at large. Advisors are appointed by the U.S. Section. An extensive advisory network has been developed by the Commission (see "GLFC and Its Stakeholders" below).

Description

A. Mission/Purpose:

The GLFC was established to provide research and recommendation to aid in the management of Great Lakes fisheries and to control and eradicate sea lamprey. Sea lamprey entered the Great Lakes from the Atlantic Ocean via canals constructed in the nineteenth century and quickly decimated important commercial and recreational fisheries. Specific responsibilities of the Commission are:

1) to formulate research programs to sustain maximum productivity of fish stocks in the Convention area that are of common concern to the United States and Canada, to coordinate research done pursuant to such programs, and, if necessary, to undertake such research itself;

2) to recommend appropriate measures to the Contracting Parties based on the findings of such research programs;

3) to formulate and implement a program for eradicating or minimizing sea lamprey populations in the Great Lakes basin; and

4) to publish the scientific findings obtained in the performance of its duties.

The Commission provides more specific statements of its approach to meeting these responsibilities in its Strategic Vision Statement. The Commission published a Strategic Vision for the 1990s and will publish its vision and milestones for the next decade during 2001. The Commission has defined specific milestones for healthy Great Lakes ecosystems, integrated sea lamprey management, and partnerships. Over the years, as new organizations and new ecological challenges have arisen, the state, provincial, tribal, and federal fisheries management agencies have signed the *A Joint Strategic Plan for the Management of Great Lakes Fisheries*, as their basis for cooperative science-based management of the fisheries resources in the Great Lakes. The Commission facilitates this cooperative process.

B. Organizational Structure:

The GLFC secretariat handles the day-to-day operations of the Commission. The Commission meets in plenary session annually, in early June. Commissioners convene an Interim Meeting in early December, and special meetings of the Commissioners take place as needed.

C. Programs:

Lamprey Control: The lamprey eradication and control mandate of the Commission consumes the bulk of the Commission's budget and is carried out by the Commission's "control agents" in the United States and Canada. The U.S. agent is the U.S. Fish and Wildlife Service (USFWS). The Department of Fisheries and Oceans provides this function for Canada. The Commission contracts for the application of chemical lampricide by USFWS employees to tributaries to reduce the number of sea lamprey in the lakes, assessment to direct the application of control efforts and to monitor their success, and a program of alternative control methods including sterile-male release and barrier construction. The U.S. Army Corps of Engineers is a partner in construction of sea lamprey barriers and traps. The Commission also carries out research to support its existing program and to develop new alternative methods. The Commission contracts portions of this research program to the U.S. Geological Survey, Biological Resources Division and. to universities and other research institutions.

Re-registration: The chief lamprey control chemicals (TFM and Bayluscide/niclosamide) have undergone re-registration, required by the U.S. Environmental Protection Agency (EPA) under the 1990 amendments to the Federal Insecticide, Fungicide, and Rodenticide Act. This process ensures that the chemical does not have harmful environmental effects, and is a mandatory requirement of U.S. law. EPA has approved the registrations of both lampricides in the recently completed registration eligibility decisions (REDs). Both compounds were found to pose no unreasonable risks or adverse effects to humans or the environment when applied in accordance with the approved label. The REDs did identify 4 environmental fate studies that will be required to confirm the decisions. These studies have been completed and submission and review are expected during FY 2001. The EPA may require further studies of long-term effects of the compounds as a final phase of the re-registration process. These requirements are not expected to be defined until 2002. In Canada, Health Canada is undertaking a parallel process of pesticides called re-evaluation. The Commission is working to consolidate U.S. and Canadian registrations of its lampricides with the USFWS.

GLFC and Its Stakeholders: The Commission operates through a broad-based, grass roots committee structure, with a basin-wide series of local level committees which cooperate with state and federal officials in monitoring fish (and lamprey) populations in local waters. This information is passed to "lake committees," as prescribed in the *Joint Strategic Plan*, which present reports to the Commission during its annual meeting. The Board of Technical Experts (BOTE) draws from academic and industry experts in environmental issues, biology and pesticide use. Other experts serve on a fish health committee. The Commission's Committee of Advisors provides citizen and state agency input to the Commission's decision-making process.

Commission Issues

The Commission has recently mounted a major effort on the St. Mary's River, which produces more sea lampreys than all other Great Lakes areas combined. During FY 1999 the Commission completed the first full round of an integrated control strategy that is predicted to reduce sea lamprey populations in Lake Huron and northern Lake Michigan by at least 85 percent. Cost-effective sea lamprey control on the St. Mary's River was once thought to be impossible because of the size of the river and because of the widespread distribution of sea lamprey larvae. Nevertheless, state-of-the-art lamprey assessment and modeling technologies, combined with the development of

new lampricide formulations, have provided the tools to accurately target concentrations of larval lampreys and to effect a significant level of control at the least possible cost. The control strategy integrates these targeted spot treatments with lampricides with an enhanced program of trapping and sterile-male release. Both of these latter alternative methods will be continued to reduce the recruitment of young larval sea lamprey to the river. An extensive assessment program is underway to monitor the effectiveness of the control strategy.

The GLFC is making progress towards reducing its dependency on lampricides, with a long-term milestone of a 50 percent reduction from 1990 levels targeted. Although the Commission already uses alternatives to lampricides to control lamprey, such as barrier dams and a program to introduce sterile males into the lamprey population, they hope to improve and greatly expand these programs in the next few years. In a first step, a recent change to the Water Resources Development Act will allow the U.S. Army Corps of Engineers to work with the Commission to fund and build new barrier to block and trap spawning sea lamprey. The GLFC is also accelerating its research programs into new alternate controls to further reduce their dependence on chemical lampricides.

The GLFC Secretariat estimates that the Commission has reduced TFM use by 30 percent since 1991 through a combination of refinements in the application process, improved stream selection, and investments in alternative controls. Virtually no TFM is being used in the St. Mary's River project. The primary control there is granular Bayluscide, which does not affect the entire water column and can be applied to discrete areas with remarkable precision.

After years of level funding, the United States increased its annual contribution in FY-2000 to continue the St. Mary's River project, and increased the funding again in FY 2001 to accelerate the development and deployment of alternative control techniques. The Commission has submitted a budget request for 2002 that includes additional funds for sea lamprey control and alternative control research. Canada has committed to raising its funding amount in FY 2001 and beyond.

Additional information can be obtained on the Commission's website: www.glfc.org

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GLOBAL

Convention on Biological Diversity (CBD)

Basic Instrument

The Convention was opened for signature at the United Nations Convention on Environment and Development in Rio de Janeiro, June 1992; signed by President Clinton on June 4, 1993, and transmitted it to the Senate for advice and consent, along with an interpretive statement to clarify how the United States understands certain provisions that have caused concern. The treaty entered into force on December 29, 1993.

Implementing Legislation

The CBD is awaiting Senate ratification. No implementing legislation to carry out the terms of the treaty was sent to the Congress, because current law was considered sufficient to meet the U.S. obligations.

Member Nations

As of January 2001, 179 nations and the European Community had ratified or acceded to the CBD. The United States has signed but not yet ratified the Convention. The Cartagena Protocol on Basified has been signed by 85 nations and ratified by 2.

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Executive Secretary: Mr. Hamdallah Zedan

Budget

The Conference of the Parties at its Fifth Meeting (COP-5) in May 2000, approved a budget of US$8,594,000 for the year 2001 and of US$10,049,900 for the year 2002. The United States is not yet a Party and therefore currently is not obligated to contribute directly to the Convention Budget, it has however made voluntary contributions.

In addition to the CBD budget, the implementation of the Convention in developing countries is funded through a Financial Mechanism. The Global Environment Facility (GEF) is the institution designated by the Conference of the Parties to operate the Financial Mechanism on an interim basis. The United States pledged US$430 million to the current replenishment of the GEF (1999-2002). For more details on the GEF see description below.

U.S. Representation

The Department of State is the lead U.S. agency to the CBD negotiations. The Department of Commerce (including NOAA), Department of the Interior, Department of Agriculture, Environmental Protection Agency,

U.S. Agency for International Development, and a number of other Agencies participate actively in the interagency process and on delegations to CBD negotiations.

The National Marine Fisheries Service has been designated the lead NOAA Line Office on marine and coastal CBD issues, working in close consultation with the NOAA International Liaison Staff and other NOAA agencies.

Description

A. Mission/Purpose:

The objectives of the Convention on Biological Diversity (CBD) are:

(1) the conservation of biological diversity,
(2) the sustainable use of its components, and
(3) the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

B. Organizational Structure:

The Convention on Biological Diversity (CBD) is governed by a Conference of the Parties (COP) made up of all the Parties to the Convention. During the first three years (1994-1996) the COP met annually. COP-IV met in May 1998, in Bratislava, Slovakia, and COP-5 is scheduled for June 2000 in Nairobi, Kenya. At the COP, countries report on steps taken under the Convention and consider measures for strengthening the treaty.

In addition to the COP, a Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) has been set up to provide advice to the COP. The SBSTTA is also composed of representatives of governments that are Parties and has its own Bureau. SBSTTA generally meets annually. The next SBSTTA meeting is scheduled for June 1999 in Montreal, Canada.

The CBD is far reaching and the COP has the capacity to set up standing or *ad hoc* committee to deal with specific issues. The CBD can also serve as a framework for binding protocols. The first such protocol, on basified, is scheduled to be completed in February 1999.

A Secretariat, located in Montreal, Canada, provides administrative support to the Convention under the auspices of the United Nations Environment Program. The Secretariat also manages an electronic clearing-house mechanism to promote and facilitate technical and scientific cooperation (http://www.biodiv.org/).

The Conference of the Parties to the CBD adopted a supplementary agreement to the Convention known as the Cartagena Protocol on Basified on 29 January 2000. The Protocol seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology. It establishes an advanced informed agreement (AIA) procedure for ensuring that countries are provided with the information necessary to make informed decisions before agreeing to the import of such organisms into their territory. The Protocol also establishes a Basified Clearing-House to facilitate the exchange of information on living modified organisms and to assist countries in the implementation of the Protocol.

C. Programs:

General Provisions of the Treaty: The Convention on Biological Diversity affirms that conservation of biodiversity is a common concern of humankind and reaffirms that nations have sovereign rights over their own biological resources. Implementation depends principally on action by Parties at the national level. In this respect, the

Convention provides general guidance on best practices, but does not currently include any sanctions for countries that do not adhere to these practices. The Convention covers *both* terrestrial and marine biota, and Parties are explicitly required to implement the CBD consistent with the rights and obligations of States under the law of the sea.

The major commitments made by Parties to the Convention encompass nearly all aspects of NMFS work and responsibilities. These commitments include:

- To develop national strategies, plans, etc., for conservation and sustainable use of biodiversity; and to integrate, as far as possible and appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans (Art. 6).

- To identify and monitor the components of biodiversity and activities which have or might have significant adverse impacts (Art. 7).

- To establish protected areas or areas where special measures are needed and to regulate or manage biological resources important to biodiversity; to promote protection of ecosystems and natural habitats; and to promote environmentally sound and sustainable development in areas adjacent to protected areas; to prevent introduction of species from outside a country that could threaten native ecosystems or species; to develop or maintain necessary legislation and other regulatory provisions for protection of threatened species and populations; and to establish means to regulate, manage or control risks associated with use and release of living modified organisms from biotechnology with likely adverse environmental effects (Art. 8).

- To adopt measures for the *ex-situ* conservation of components of biological diversity (Art. 9).

- To integrate consideration of the conservation and sustainable use of biodiversity resources into national decision-making; adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity; to preserve and maintain knowledge and practices of indigenous and local communities embodying traditional lifestyles that are compatible with conservation or sustainable use requirements; support remedial action in degraded areas; and encourage cooperation between the government and private sector to develop methods for sustainable use (Art. 10).

- To adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity (Art. 11)

- To establish programs for scientific and technical education and training in identification, conservation, sustainable use of biodiversity and promote research that contributes to biodiversity (Art. 12).

- To promote programs for public education and awareness (Art. 13).

- To require environmental impact assessments that address impacts on biodiversity and to minimize such impacts. (Art. 14).

- To create conditions to facilitate access to genetic resources on mutually agreed terms, recognizing sovereign rights of States over their natural resources; and to share in a fair and equitable way the results of research, development, and the commercial utilization of genetic resources with contracting Parties providing such resources (Art. 15).

- To encourage access to, and transfer of, technology relevant to the conservation and sustainable use of

biological diversity or that makes use of genetic resources and does not cause significant damage to the environment (Art. 16).

- To facilitate the exchange of information and scientific and technical cooperation in the field of the conservation and sustainable use of biological diversity (Art. 17&18).

- To encourage biotechnology research, especially in developing countries; ensure the fair and equitable sharing of benefits from biotechnology; and address safety concerns related to the transfer, handling and use of living modified organisms (Art. 19).

In addition to these general provisions, developed country Parties are required to provide "new and additional financial resources" to assist developing country parties meet the incremental costs of implementing measures that fulfill the obligations of the CBD. These resources are provided through the GEF (Art. 20 & 21).

Marine and Coastal Biodiversity: The 2nd Conference of the Parties in November 1995 adopted the *"Jakarta Mandate on Marine and Coastal Biodiversity"* adopted at COP-2 in November 1995. The *Jakarta Mandate* identified five priority areas for action:

(1) Promoting integrated marine and coastal area management as the framework for addressing human impacts on biological diversity.

(2) Establishing and maintaining marine and coastal protected areas.

(3) Using fisheries and other marine and coastal living resources sustainably. This was the most controversial recommendation, including issues of overcapacity, subsidies and bycatch.

(4) Ensuring that mariculture practices are environmentally sustainable.

(5) Preventing the introduction of, and controlling or eradicating, alien species that threaten ecosystems, habitats or species.

COP-4 developed the outline of a three year program of work to implement the *Jakarta Mandate*. COP-5 agreed to add Coral Bleaching and Physical Degradation and Destruction of Coral Reefs to the program of work.

Recent Activities - especially marine-related:

COP-5: The Fifth Conference of the Parties (COP-5) of the CBD met in Nairobi, Kenya, May 15-26, 2000. This meeting included several items of importance to NOAA, including: 1) a report on progress in the three-year program of work for marine and coastal biodiversity; 2) approval of the terms of reference for technical expert groups on marine protected areas and aquaculture; 3) approval of a resolution on climate change and coral bleaching; and 4) approval of interim guiding principles to address the problem of invasive alien species. The resolution on coral bleaching arose from an expert consultation last October that NOAA helped to organize. The action on alien invasive species was perhaps the most significant outcome, setting the stage for a decision at COP-6 on whether to proceed toward a binding protocol.

Expert's Consultation on Coral Bleaching: The U.S. helped fund this meeting was held in the Philippines in October 1999 to review the impact of the 1997/98 global coral bleaching event.

Biosafety Protocol: On January 29, 2000, ministers and senior officials from over governments finalized a legally binding agreement for protecting the environment from risks posed by the transboundary transport of living modified organisms (LMOs) created by modern biotechnology. Under the Cartagena Protocol on Basified, governments will signal whether or not they are willing to accept imports of agricultural commodities that include LMOs by communicating their decision via an internet-based Basified Clearing House. In addition, shipments of these commodities that may contain LMOs are to be clearly labeled. Stricter Advanced Informed Agreement procedures will apply to seeds, live fish, and other LMOs that are to be intentionally introduced into the environment. In these cases, the exporter must provide detailed information to each importing country in advance of the first shipment, and the importer must then authorize the shipment. The aim is to ensure that recipient countries have both the opportunity and the capacity to assess risks involving the products of modern biotechnology. The United States, while not a Party to the CBD, nevertheless supported the final outcome of the Protocol. The first meeting of the Inter-governmental Committee for the Cartagena Protocol (ICCP-1) took place in Montpellier, France in December, 2000.

Upcoming Activities:

SBSTTA 6 & 7: The sixth and seventh meetings of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) will be held in Montreal Canada, March 12-16 2001 and Early 2002, respectively. SBSTTA-6 will concentrate on invasive species, while SBSTTA-7 will concentrate on forest biodiversity.

Technical Expert Group on Marine and Coastal Protected Areas: The first meeting of the Technical Expert Group on Marine and Coastal Protected Areas is scheduled for April or May 2001 in Leigh, New Zealand Leigh, New Zealand. NOAA has provided funding for this meeting.

ICCP-2: Second Meeting of the Inter-governmental Committee for the Cartagena Protocol (ICCP-2) is scheduled for 1 - 5 October 2001 in Montreal Canada.

Technical Expert Group on Mariculture: The first meeting of the Technical Expert Group on Mariculture is tentatively scheduled for November 2001, however funding for the meeting has not yet been identified.

COP-6: The Sixth Conference of the Parties (COP-6) will be held in The Haague, Netherlands, in 2002. Invasive species, including marine invasive species will be a major item on the agenda. COP-6 will also review the operation of the Convention and existing work programs, including the program of work to implement the *Jakarta Mandate* on marine and coastal biodiversity.

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Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Basis Instrument

Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087, TIAS 8249)

Implementing Legislation

Endangered Species Act (16 USC 1531-43)

Member Nations

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalem , Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, People's Republic of, Colombia, Comoros, Congo, Congo, Democratic Republic of, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Korea, Republic of, Latvia, Liberia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwandese Republic, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Secretariat Headquarters

CITES Secretariat
15, chemin des Anémones
Case postale 456

CH-1219 Châtelaine
Geneve, Switzerland

Budget

The budget for 2001 approved by the Conference of the Parties is CHF 7,594,800 ($5,062,000). The U.S. contribution averages $1.1 million.

U.S. Representation

The Endangered Species Act designates the Fish and Wildlife Service of the Department of Interior, with the assistance of the Department of State, to implement the Convention. FWS is also responsible for inspections of shipments of wildlife through designated ports of entry. The bulk of CITES-listed species are under the

management jurisdiction of FWS. However, many species are managed by NMFS, including all the great whales, all the dolphins, all the marine turtles, six seal species, queen conch and all hard coral species listed either on Appendix I or II. All sturgeon species are listed in Appendix II.

The National Marine Fisheries Service draws on the expertise of its regional offices and science centers in order to participate fully in the inter-agency collaboration necessary to implement CITES in both scientific and management concerns.

The Animal and Plant Health Inspection Service of the Department of Agriculture inspects imports of plant species listed on the treaty.

Description

A. Mission/Purpose:

Provides for international co-operation for the protection of certain species of wild fauna and flora against over-exploitation through international trade.

B. Organizational Structure:

The CITES framework includes a Standing Committee meetings annually to conduct the administrative matters of the Convention and to recommend policy actions to the Parties. In addition, there are separate committees on Animals and Plants, which meet annually to review scientific matters, including management questions, and make recommendations to the Standing Committee.

All the committees meet approximately once a year on their own schedules. Conferences of the Parties (COPs) are convened approximately every two years.

C. Programs:

Under CITES, species are listed in Appendices according to their conservation status. In addition, listed species must meet the test that trade is at least in part contributing to their decline. Appendix I species, for which there is no international trade permitted, are "threatened with extinction." Appendix II species are "not necessarily threatened with extinction," but may become so unless trade is strictly regulated. This regulation usually takes the

form of a requirement for documentation from the country of export, monitoring of imports and, in some cases, export quotas. Imports from countries which are not CITES members still require what is called "CITES-equivalent documentation." Appendix III includes all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.

In order to determine whether such limitation is necessary, the Animals and Plants Committees of CITES undertake reviews of Appendix II species for which there are significant amounts of international trade, from which recommendations for conservation of the species are made in order that they might avoid being listed in Appendix I.

Of special interest to NOAA Fisheries are significant trade studies for queen conch and hard corals, discussion of the implementation of CITES Appendix II for commercially-exploited marine fish species, cooperative efforts with the International Whaling Commission to control illegal trade in whales, and recent efforts by the Government of Cuba to re-open international trade in hawksbill turtle shells.

Recent Activities

In recent years, there has been an enormous increase in the discussion of issues regarding marine species at CITES meetings. Discussions have ranged from attempts to reopen trade in whales and marine turtles to recommendations to regulate international trade in fish, including sharks, through listing in CITES. At the most recent CITES meeting, 34% of the species proposals under consideration for COP11 and 25 percent of the resolutions offered by Parties directly related to marine species. More importantly, of the most contentious issues at the meeting (and those of highest importance to the United States), more than one-half concerned marine species.

The following are decisions regarding marine issues at COP11:

Whales - The United States, and a coalition of like-minded countries, defeated downlisting proposals for four populations of whales which are under the management of the International Whaling Commission (IWC). This will give the IWC the opportunity to complete the revision of its management regime in order to bring all whaling under effective IWC control. In addition, debate on the US-sponsored resolution confirming cooperation between CITES and the IWC made clear our position, while a resolution of Norway and Japan seeking to separate the actions of the two bodies was defeated by a vote of 31 for, 49 against, with 10 abstentions.

Hawksbill sea turtles - A proposal of Cuba to downlist the “Cuban” population of hawksbill sea turtles, a species for which the United States is a range State, was defeated.

Stony corals - A proposal to weaken standards for the monitoring of international coral trade was defeated.

Marine Fish - Although three US-backed proposals for listing of shark species were not adopted, significant progress was made in the discussions of a working group whose aim was to clarify terms and procedures in the Convention dealing implementation of CITES for marine species harvested on the high seas. Efforts to promote discussion of implementation possible CITES listing of marine fish species were realized at a recent Food and Agriculture Organization Technical Consultation in June and a follow up meeting was proposed.

Black Sea bottlenose dolphin - The U.S. and Georgia had submitted a proposal to move this population from

Appendix II to Appendix I. The U.S. withdrew the proposal in favor of a referral to the Animals Committee to examine several issues (including the effect of international trade on the population and whether the sub-species is distinct) before the next COP.

Note: Decisions of substance need a 2/3 majority for passage

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International Whaling Commission (IWC)

Basic Instrument

International Convention for the Regulation of Whaling, 1946, (TIAS 1849); Protocol amending 1956 (TIAS 4228).

Implementing Legislation

Whaling Convention Act of 1949 (64 Stat. 421, 16 U.S.C. 916-9161).

Member Nations

Antigua and Barbuda, Argentina, Australia, Austria, Brazil, Chile, Costa Rica, Denmark, Dominica, Finland, France, Germany, Grenada, Guinea, India, Ireland, Italy, Japan, Kenya, Republic of Korea, Mexico, Monaco, Netherlands, New Zealand, Norway, Oman, People's Republic of China, Peru, Russian Federation, Senegal, Solomon Islands, South Africa, Spain, Sweden, Switzerland, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, United Kingdom, United States, and Venezuela.

Commission Headquarters

International Whaling Commission
The Red House
135 Station Road
Impington
Cambridge, CB4 9NP, United Kingdom
Secretary: Dr. Nicky Grandy
Phone: 011-44-1223-233-971

Budget

The Commission approved a budget of US$2,161,627 for 2000-2001. The United States contribution amounts to US$71,945 for 2000-2001.

U.S. Representation

A. Appointment Process:

The Commissioner is appointed by the President, on the concurrent recommendations of the Secretary of State and the Secretary of Commerce, and serves at his pleasure. The President may also appoint a Deputy U.S. Commissioner.

B. U.S. Commissioner:

Rolland A. Schmitten
Deputy Assistant Secretary for International Affairs
National Oceanic and Atmospheric Administration
Department of Commerce
Washington, D.C. 20230

Deputy Commissioner:

Dr. Michael F. Tillman

Director, Southwest Fisheries Science Center
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
La Jolla, CA 92038-0271

C. Advisory Structure:

U.S. representation in the IWC has no formal (legislated) advisory structure. The IWC Commissioner does consult, however, with the "IWC Interagency Committee," which includes representatives of the Department of State, the Marine Mammal Commission, other Federal agencies, conservation organizations, and other interested parties.

Description

A. Mission/Purpose:

The 1946 Convention has as its objective the proper conservation of world whale stocks, thus making possible the orderly development of the whaling industry. The Convention established the IWC to provide for a continuing review of the condition of whale stocks and for such additions to or modifications of the agreed conservation measures as might appear desirable.

B. Organizational Structure:

The IWC consists of the Commission, Secretariat, and subject area committees. The Commission is composed of one member from each Contracting Government, may be accompanied by one or more experts and advisors. Each member government has one vote. Decisions of the Commission are by simple majority of those members voting, except that a three-fourths majority of those members is required for actions to amend the provisions of the Schedule (which contains the binding decisions of the Commission). The Commission can determine its own rules of procedure and may appoint its own Secretary and staff. The Committees may be set up by the Commission from its own members and experts or advisors to perform such functions as it may authorize. At the 2000 IWC annual meeting, the Commissioner from Sweden, Bo Fernholm, was elected to Chair the IWC for the next three years, with Denmark's Commissioner, Henrik Fischer, was elected to serve as the Vice-Chair.

C. Programs:

The IWC normally meets once a year to review the condition of whale stocks and to modify conservation measures as appropriate. The Commission has used various means of regulating commercial whaling including the fixing of open and closed seasons, open and closed areas, protected species, size limits for each species, and limits on the catch of whales in any one season. The IWC recognizes two distinct types of whaling: commercial whaling and aboriginal subsistence whaling.

Past actions by the IWC include establishment of a whale sanctuary in the Indian Ocean area and in the Southern Ocean (in most of the waters south of 40° S. latitude), prohibition on the use of cold grenade (non-exploding) harpoons to kill whales for commercial purposes, a moratorium on all commercial whaling from the beginning of the 1985-86 pelagic and 1986 coastal seasons, and the adoption of a separate and distinct management scheme for aboriginal subsistence whaling. Criteria for evaluating research involving the killing of whales under special permits were established because of concerns that some countries would use special permits for scientific research as a means of circumventing the zero catch limits for commercial whaling. The 1946 Convention allows countries to issue special permits authorizing the taking of whales for scientific research.

The 52nd annual IWC meeting was held in Adelaide, Australia, from July 3-6, 2000. The United States supported the passage of several resolutions, including two resolutions that were passed urging Japan to refrain from issuing permits to take whales for scientific purposes in both the Northern Pacific and the Southern Ocean. The former specifically criticized Japan's proposal to expand its scientific whaling program in the North Pacific to include the take of sperm and Bryde's whales in addition to its lethal research on minke whales in the Southern Ocean Sanctuary and in the North Pacific. The IWC has concluded that these programs are contrary to its conservation goals, and has repeatedly passed resolutions condemning these lethal scientific whaling programs.

The United States supported a consensus resolution calling for an intersessional meeting to make additional progress on the Revised Management Scheme and supported a highly publicized proposal by Australia and New Zealand to establish a South Pacific Whale Sanctuary. The Sanctuary proposal did not pass, but is expected to be raised again in the future.

As it has done for the past twelve years, the Commission denied, based on its commercial elements, Japan's request for an interim quota of minke whales for its small-type coastal whalers. Another resolution was passed calling upon IWC members to work expeditiously to provide such a quota in the future.

Other actions in 2000 included the passage of a resolution calling upon Canada (a non-IWC nation) to refrain from issuing subsistence quotas for highly endangered bowhead whales, a resolution reiterating the need for the IWC to examine the effects of environmental change on cetaceans, a resolution in support of the protocols on Persistent Organic Pollutants and heavy metals, and resolutions on protecting freshwater cetaceans and North Atlantic right whales.

The IWC continues to maintain the moratorium on commercial whaling. However, Norway lodged a timely objection to the 1982 moratorium decision, and therefore is not bound by that decision. Thus, it continues to authorize takes of minke whales from the northeast Atlantic. In 1998, as it has done in previous years, the IWC passed a resolution condemning Norwegian whaling outside the Commission. In 1997, in an attempt to resolve some of the long-standing challenges to the IWC's ability to control commercial whaling, the Irish Government introduced a proposal to establish a whale sanctuary in the high seas, in exchange for allowing the resumption of limited coastal commercial whaling. The proposal remains under discussion.

At the 1997 Annual Meeting, the Commission approved a combined quota of bowhead whales to meet the needs of the Eskimos in Alaska and Russia which allows an average of 56 bowhead whales to be landed each year. The Alaska Eskimos have been conducting aboriginal subsistence hunts with approval of the International Whaling Commission since the commission began regulating such hunts in the 1970s. At the same time, the IWC adopted a quota that allows a five-year aboriginal subsistence hunt of an average of four non-endangered gray whales a year by the Makah Indian Tribe, combined with an average annual harvest of 120 gray whales by Russian natives of the Chukotka region. Russia, the U.S., Denmark (for Greenland), and St. Vincent and the Grenadines (for Bequia) have requested quotas from the IWC for aboriginal subsistence whaling.

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PART II. BILATERAL CONSULTATIVE ARRANGEMENTS

NORTH AMERICA

Agreement Between the Government of the United States of America and the Government of Canada on Fisheries Enforcement

Basic Instrument

Agreement between the Government of the United States of America and the Government of Canada on Fisheries Enforcement of September 26, 1990 (House Document 102-22, 102d Congress, 1st Session).

Authorities

Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1822(a), which authorizes the Secretary of State to negotiate international fisheries agreements, and 16 U.S.C. 1855(d), which authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Canada.

Meetings

Parties meet annually, alternating meetings between the United States and Canada.

Description

The Parties have agreed to take appropriate measures consistent with international law to ensure that their nationals, residents and vessels do not violate, within the waters and zones of the other Party, the national fisheries laws and regulations of the other Party. Such measures shall include prohibitions on violating the fisheries laws and regulations of the other Party respecting gear stowage, fishing without authorization, and interfering with, resisting, or obstructing in any manner, efforts to enforce such laws and regulations; and may include such other prohibitions as each Party deems appropriate.

Bilateral enforcement meetings are held to review past practices and discuss new standards, policies, and strategies for enforcement cooperation. Communications, prosecution practices, evidentiary requirements, regulation interpretation, notification procedures, and hot pursuit comprise the core of discussions.

Recent Activities

Representatives from the United States and Canada met on May 16-17, 2000, in Seattle, Washington, to discuss the implementation of the Agreement. The two sides reviewed law enforcement action taken since the previous meeting on September 29-30, 1999, discussed new developments in law enforcement, and explored areas of future co-operation.

Highlights:

Delegations provided overviews of co-operative and enforcement actions by Atlantic and Pacific Oceans and the Great Lakes:

Atlantic Operations: There were no incidents in 1999. Of all the cases since 1991, all are closed except four: F/V's *IRON MELISSA, TINA LOUISE,* and *HUSTLER* (two counts). The U.S. Coast Guard (USCG) said it would check on the status to see if the cases are still open, or were ever filed. There was lengthy discussion on the Vessel Monitoring System (VMS)/Vessel Tracking System (VTS) used by the United States and Canada, respectively, to monitor their respective scallop fleets, and whether it would be possible to link the two systems.

It was generally felt that Closed Area II continues to act as a buffer zone, and that the current good status of U.S. scallop stocks is keeping U.S. fishing vessels in U.S. waters. It may actually be more likely that Canadian vessels may start crossing the line into U.S. waters. Both the Department of Fisheries and Oceans Canada (DFO) and the USCG noted decreases in available assets due to platform restrictions (DFO) and budget restrictions (USCG). DFO and NMFS commented on the strong relationship in working with other agencies to coordinate operations along the U.S.-Canada boundary.

Great Lakes Operations: Discussion focused on Operation KINGFISHER and the proposed U.S.-Canadian Memorandum of understanding (MOU) governing the operation. It was noted that KINGFISHER has become part of the regional enforcement vernacular and is synonymous with Great Lakes fisheries. The MOU, which only addresses fisheries matters, is in the final editing process; both countries are hopeful that the MOU will be signed prior to the end of the fishing season; a time when there was more incentive to cross into U.S. waters to catch the remaining quota. There was discussion of the May 11, 2000, case involving the F/V *CORANET*, which was documented setting a net 300-500 yds into the U.S. zone. This case indicated that the incursion threat was still a legitimate concern.

Pacific Operations: Both sides recognized that salmon was the main issue of concern, with both nations' fleets capable of pushing the boundary. However, U.S.-Canada border incursions were down because the majority of salmon were located off Oregon, vice Washington, and noticeable surveillance and enforcement assets were present. There was high compliance in 1999, and both sides and all agencies expressed interest in making the annual pre-season Dixon Entrance meeting a higher priority. Boundary Bay Canadian crabbing activity remains a high threat, but two successful Canadian case prosecutions seemed to have deterred incursions for the present. NMFS noted that its major activity has been Lacey Act-related in conjunction with tribes transhipping "subsistence" fish to Canada commercially. DFO noted that future meetings addressing U.S. and Canadian tribal issues needed to be held.

The Washington Department of Fish and Wildlife commented on its great relationship with USCG, NMFS and DFO and noted that its recent hiring activity and billet assignments are more focused on landings, and the investigative unit (60 people) focused primarily on the geoduck fishery. Its desire is to make the Washington State geoduck fishery more like the Canadian model.

The NMFS Northwest Region provided a briefing on how enforcement of the Endangered Species Act has shifted from a coastal focus to inland habitat concerns. This shift involves more scientific analysis and forensic applications for stock determination, interaction with non-traditional fishery stakeholders (i.e., dairy farmers, timber companies, grazing interests, mining companies), and cooperation with a different set of federal agencies (U.S. Forest Service, U.S. Department of Interior, National Park Service, Bureau of Land Management).

DFO discussed improvements in its air surveillance capabilities and presented a video that demonstrated surveillance imagery via the turret mounted video camera system. DFO discussed lessons learned with different applications: tracking, infrared, and telescopic system.

NMFS presented a status report on the National VMS project and provided overview program milestones and future goals. It provided DFO with copies of a chart that detailed capabilities and costs for transponders and communication providers.

The USCG provided a summary of the May 2000 F/V *ARCTIC WIND* case, a Honduran high seas driftnet vessel apprehended in the North Pacific. The case was significant because this was the first time that the USCG received interagency approval to use warning shots and disabling fire against a foreign fishing vessel; however, the *ARCTIC WIND* stopped for the boarding before warning shots were necessary. This led to a discussion on the USCG development of non-lethal use-of-force technologies, and the need to find methods to facilitate the stopping of fishing vessels without actually having to use disabling fire.

The USCG also addressed its fleet modernization project, DEEPWATER. It explained that this was a systems modernization project that looked at all aspects of cutter, aircraft, technology and personnel operations.

The delegates agreed that the next annual meeting should occur in the early spring of 2001in order to provide a more timely review of the previous year's activities. Canada offered that DFO would host the 9th annual meeting on the Atlantic Coast, possibly Halifax, Nova Scotia, at a date to be determined.

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CENTRAL AMERICA

United States-Mexico Fisheries Cooperation Program

Basic Instrument

There is no formal instrument establishing the United States-Mexico Fisheries Cooperation Program. The U.S. National Marine Fisheries Service (NOAA Fisheries) and the predecessor agency to the Mexican Secretaría de Mexico Ambiente, Recursos Naturales, y Pesca (SEMARNAP) informally agreed in 1983 to meet annually to review the broad range of issues involved in the bilateral fisheries relationship. Additional discussions are held as a small part of the annual Bi-National Commission (BNC) meeting held to review the overall United States-Mexican bilateral relationship. There are three memoranda of understanding (MOU) since agreed to by NOAA Fisheries and SEMARNAP to formalize different aspects of the fisheries relationship: (1) MEXUS-Gulf research program, (2) MEXUS-Pacífico research program, and (3) information exchange. The research MOUs have proven highly effective, but NOAA Fisheries has been unable to arrange continuing reciprocal exchanges under the information exchange MOU and it is currently inactive.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Mexico.

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual costs of the program including staff time, travel, translation services, and miscellaneous expenses total about $60,000 annually. This does not include the cost of various working group meetings, such as the annual MEXUS-Gulf and MEXUS-Pacífico meetings or special meetings like the shrimp management and enforcement meetings held during 1997 and the bycatch reduction device (BRDs) meeting held in 1998.

Representation

The annual Fishery Cooperation Talks (FCTs) are coordinated by NOAA Fisheries and Mexico's Subsecretaría de Pesca (PESCA). Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, Department of Interior (U.S. Fish and Wildlife Service), U.S. Coast Guard, and the Department of State, as well as state government officials. PESCA has invited other government units such as the Instituto Nacional de Pesca, and the Procurator General para el Ambiente (PROFEPA), the Secretaría de Comercio, the Secretaría de Salud, and the Secretaría de Relaciones Exteriores.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Mexican fisheries relationship. The BNC and FCT discussions serve to reinforce the longstanding cooperative relationship between the United States and Mexico on fishery issues. Formal and informal sessions provide opportunities to exchange information and discuss major issues.

B. Programs:

NOAA Fisheries and PESCA normally meet annually, alternating meetings between the United States and Mexico. The parties also discuss priority fishery issues as part of the annual BNC meeting. More detailed discussions are then conducted at the FCTs. Working group meetings are held as needed. The two science working groups, MEXUS-Gulf and MEXUS-Pacífico, meet annually. Other working group meetings are held as required on such matters as enforcement, management, aquaculture, and other issues.

Initially, the participants decided to omit the most contentious issues and focus on those issues where it was possible to reach some agreement on mutually beneficial projects. As a result, considerable progress was made during the 1980s in expanding cooperative research programs and better understanding each country's fishery laws and policies. The relationship matured during the 1990s; recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species. The meetings help to inform participants of national programs affecting the other country. The participants in recent years have widened the scope of some research projects to include coordinated management and other issues.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals and endangered species (especially turtles and mammals) were for several years the focus of discussions, but Mexican officials for many years objected to discussions on the management of commercial fishery resources. Mexican officials in recent years, however, have responded more favorably to NOAA Fisheries suggestions that the two countries initiate information exchanges and share management experiences on various fishery resources. Shark and shrimp management and bycatch reduction in particular have been discussed in some detail. Mexico has even taken the initiative in pursuing possible cooperation on Gulf of Mexico shrimp management, but agreement at the Federal level is complicated by the important role of state agencies.

D. 2000 Meeting

The annual Fishery Cooperation Talks between fishery officials of the United States and Mexico were held in Washington, D.C., on September 14-15, 2000. The meeting marked the twentieth session held with Mexican fishery officials since 1984. The two delegations were headed by the Subsecretario de Pesca, Lic. Carlos Camacho, and Penny Dalton, NOAA Assistant Administrator for Fisheries. The Mexican delegation included representatives of PESCA, the Instituto Nacional de Pesca (INP), and the Office of the Federal Procurator of Environmental Protection (PROFEPA). The U.S. Delegation included participants from various NOAA Fisheries offices, the State Department, and the U.S. Embassy in Mexico City. The discussions in Mexico City explored cooperative efforts in eight major issue areas: (1) research, (2) administration/management, (3) aquaculture, (4) enforcement, (5) tuna/dolphin, (6) sea turtles, (7) multilateral initiatives, and (8) other matters. A full report of the meeting is

available from F/ST3.

E. Future Meetings:

PESCA invited NOAA Fisheries to Mexico for the 2001 FCT session. No specific dates have been set, but the FCT will probably be held during the fall of 2001.

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SOUTH AMERICA

United States-Chile Fisheries Cooperation Program

Basic Instrument

The basic instrument establishing the United States-Chile Cooperation Program is a Memorandum of Understanding (MOU) between the U.S. National Marine Fisheries Service (NOAA Fisheries) and the Chilean Servicio Nacional de Pesca (SERNAPESCA) signed in 1995.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Chile

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual expenditures for the program including staff time, travel, translation services, and miscellaneous expenses total about $50,000 annually.

Representation

The meetings are coordinated by NOAA Fisheries and SERNAPESCA. Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, U.S. Coast Guard, and the State Department. SERNAPESCA routinely invites other units of the Ministerio de Economía (the Subsecretaría de Pesca and the Instituto de Fomento Pesquero) as well as industry representatives. SERNAPESCA has also invited representatives of the Chilean Navy and Ministerio de Relaciones Exteriores (Foreign Ministry) to attend some sessions.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Chilean fisheries relationship. The resulting Fishery Cooperation Talks (FCT) provide a forum for U.S. and Chilean fishery officials to review fishery issues of mutual concern. Formal and informal sessions provide opportunities to exchange information and discuss major issues, resulting in a frank exchange of views and information.

B. Programs:

NOAA Fisheries and SERNAPESCA have agreed to hold annual meetings during the first few years of the cooperative program. In the future, as the relationship matures, it may not be necessary for all of the participants to meet annually. It is likely that some of the working groups, however, may require annual consultations. Recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species, research, environment, aquaculture, and information exchange. The meetings help to inform participants of national programs affecting the other country.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals was initially the primary focus of the meetings and continues to be an important element. NOAA Fisheries has additionally raised some concerns about Pacific sea turtles, especially leatherbacks. Other important conservation and management issues discussed include enforcement, management strategies and systems, and recreational fishing. Discussions on these issues as well as information exchanges and visits have enabled NOAA Fisheries and Chilean fishery agencies to exchange ideas and experiences in formulating domestic policies as well as to work further on species of mutual interest.

D. 1999 Meeting:

The most recent Fishery Cooperation Talks between fishery officials of the United States and Chile were held in Pacific Grove, California, on November 3-4, 1999. The meeting marked the fifth session held with Chilean fishery officials since 1995. The two delegations were headed by the Chilean Under Secretary for Fisheries, Juan Manuel Cruz, and Andy Rosenberg, NOAA Deputy Assistant Administrator for Fisheries. The Chilean delegation included representatives of different units of the Fisheries Under-Secretariat (SUBPESCA), the National Fisheries Service (SERNAPESCA), the Fisheries Development Institute (IFOP), the Chilean Navy (General Directorate of Maritime Territory and the Merchant Marine), and the Chilean Embassy in Washington. The U.S. Delegation included participants from various NOAA Fisheries offices and the U.S. Coast Guard. The discussions in Pacific Grove explored cooperative efforts in six major issue areas: (1) research, (2) enforcement, (3) administrative/management, (4) multilateral initiatives, (5) aquaculture, and (6) environment. A full report of the meeting is available from F/ST3.

E. Future Meetings:

SERNAPESCA has invited NOAA Fisheries to Chile for the next session. No specific dates have been set, but it may take place in the Spring or Summer of 2001.

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ASIA

United States-Japan Consultative Committee on Fisheries

Basic Instrument

There is no formal instrument per se. The two countries agreed to the Consultative Committee via an exchange of diplomatic notes on January 27, 1992.

Implementing Legislation

None.

Member Nations

The United States and Japan.

Meetings

The Committee meets on an annual basis, or at other times as may be considered appropriate, in the United States or Japan. The venue for the Committee is decided prior to each meeting.

U.S. Representation

The Committee consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Space, Department of State.

Description

The U.S.-Japan Consultative Committee on Fisheries was formed to promote bilateral cooperation in the field of fisheries and fisheries research. It replaced the more formal Governing International Fisheries Agreement (GIFA) between the United States and Japan that expired on December 31, 1991. The Consultative Committee holds regular high-level bilateral consultations on fishery issues of mutual concern.

Recent Activities

Government delegations from the United States and Japan last met at the Ministry of Foreign Affairs in Tokyo, Japan, on June 15-16, 1999, to conduct the Seventh Meeting of the U.S.-Japan Consultative Committee on Fisheries. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans,

Fisheries, and Space, Department of State, and Mr. Minoru Morimoto, Deputy Director-General of the Fisheries Agency of Japan, led the Japanese delegation.

The two delegations exchanged views on the full range of issues in the U.S.-Japan fisheries relationship. Topics of discussion included implementation of the United Nations (UN) Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the UN Food and Agriculture Organization (FAO) Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Representatives also discussed the conservation and management of tuna stocks in the Atlantic and Pacific Oceans, as well as fisheries in the central Bering Sea and northwest Atlantic Ocean. They also exchanged views on the implementation of the FAO International Plans of Action on Conservation and Management of Sharks, the Reduction of Incidental Catch of Seabirds in Longline Fisheries, and the Management of Fishing Capacity, as well as on other issues of mutual concern, such as the World Trade Organization and the International Whaling Commission.

The delegations of both countries reaffirmed the value of maintaining and further strengthening the long-standing cooperation between the United States and Japan in these and other fisheries issues. They also confirmed that recent years had witnessed remarkable accomplishments in the international fisheries arena.

The United States was scheduled to host the eighth meeting of the Committee in August 2000 in Washington. D.C. However, the meeting was canceled in protest of Japan's expanded lethal scientific whaling program in the Northwestern Pacific Ocean. The meeting has not yet been rescheduled.

A full report of the seventh meeting of the Committee can be obtained from the National Marine Fisheries Service staff contact below.

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EUROPE

Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations (Basic Instrument for the U.S.-Russia Intergovernmental Consultative Committee -- ICC)

Basic Instrument

Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations of May 31, 1988, as amended (TIAS 11442, the U.S.-Soviet Comprehensive Fisheries Agreement). Note: The obligations of the former Soviet Union under this agreement have devolved on the Russian Federation.

Implementing Legislation

Public Law 100-629 (An untitled Act that implemented the Comprehensive Fisheries Agreement. Enacted November 7, 1988).

Member Nations

The United States and the Russian Federation.

Meetings

The ICC meets alternately in the United States and Russia, on an annual basis, at the discretion of the heads of delegation.

U.S. Representation

Under the Rules of Procedure established for the ICC, the United States and Russia are to designate a Representative and an Alternate Representative. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs. To date, the United States has not identified an Alternate Representative.

Pursuant to Section 5 of Public Law 100-629, a 12-member "North Pacific and Bering Sea Fisheries Advisory Body" was established to advise the U.S. Representative to the ICC. This body consists of the following individuals:

(E) The Director of the Department of Fisheries and Wildlife of the State of Washington;
(B) The Commissioner of the Department of Fish and Game of the State of Alaska;
(C) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Alaska; and,
(D) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Washington.

Description

The United States and the Russian Federation maintain the bilateral ICC fisheries forum pursuant to the U.S.-Soviet Comprehensive Fisheries Agreement, signed on May 31, 1988. The ICC is responsible for furthering the objectives of the Comprehensive Fisheries Agreement. These objectives include maintaining a mutually beneficial and equitable fisheries relationship through (1) cooperative scientific research and exchanges; (2) reciprocal allocation of surplus fish resources in the respective national 200-mile zones, consistent with each nation's laws and regulations; (3) cooperation in the establishment of fishery joint ventures; (4) general consultations on fisheries matters of mutual concern; and, (5) cooperation to address illegal or unregulated fishing activities on the high seas of the North Pacific Ocean and Bering Sea. The current agreement is in force through December 31, 2003.

Current Status

Representatives from the Russian Federation and the United States conducted the 12th Session of the ICC at the National Marine Fisheries Service (NMFS) Alaska Fisheries Science Center in Seattle, Washington, on January 17-19, 2001. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans and Fisheries, and the Russian delegation was led by Dr. Boris Kotenev, Director, VNIRO (Fisheries Research Institute).

The following mutual fisheries issues were discussed at the ICC meeting:

Status of Pollock Stocks and Fisheries Research Cooperation:

The United States reported on the status of pollock stocks in the U.S. zone. For overall stock assessment, the United States uses age-structured models to track the population dynamics of the EBS stock. The year 2000 model, predicted an exploitable pollock biomass (age 3+) of 10.8 million metric tons (mmt), up 43% from 1999 and close to the historic peak estimate. The model also showed that the 1996-year class is very strong and is contributing significantly to the overall biomass.

EBS Shelf: As a result of the 2000 trawl survey, the total pollock biomass for the EBS shelf was estimated at 8.19 million t--3.05 million t off-bottom and 5.14 million t on-bottom. The off-bottom biomass estimate was down 7 percent from 1999, whereas the on-bottom estimate was up 44 percent from 1999. The 2000 survey also confirmed that the 1996-year class was the dominant year class. The U.S. side informed the Russian delegation that the United States would conduct a bottom trawl survey again in the summer of 2001 using a chartered fishing vessel. If Russia wishes to participate in the survey, the request must be sent to Dr. Gary Stauffer at the Alaska Fisheries Science Center.

Bogoslof Island: The U.S. side reported that acoustic-trawl survey of the southeastern Aleutian Basin near Bogoslof Island to assess spawning pollock aggregations in February-March 2000 resulted in a biomass estimate of only 301,000 t (or 270,000 t in the Central Bering Sea pollock-reference area)--the lowest survey biomass on record.

The United States plans to conduct a Bogoslof Island survey cruise in March 2001 with the research vessel *MILLER FREEMAN*. Russia asked to place a VNIRO acoustician with a portable Simrad EK 500 echo-sounding system on the cruise with the intent of calibrating this equipment with the equipment on the *MILLER FREEMAN* for use in Russia's Navarin Basin area survey in summer 2001. The U.S. side said agreed.

The Russian side presented results of its research on pollock fishery resources in late 1999 and 2000.

Western Bering Sea (WBS): Bottom trawl surveys, as well as acoustic, fingerling, and ichthyoplankton surveys were conducted in the WBS by VNIRO, TINRO-Center, KamchatNIRO, and the Chukchi Branch of TINRO-Center. Two pollock research cruises were conducted by KamchatNIRO in February-May and November-December 2000 in the WBS. VNIRO conducted four pollock research cruises from April through December 2000 jointly with TINRO-Center and KamchatNIRO. The range of the WBS pollock stock has become smaller in recent years. The major part of the stock seems to remain within the Karagin and Olyutor Bays and stock biomass has stayed at the low level of 1999--about 7,500 t. About 43 percent of the spawning stock consisted of pollock of the 1995 year class. Fish of the 1995-1997 year classes comprised the fishing stock and most were immature. The 1996-1997 year classes will be dominant in the fishing stock in upcoming years. The 2000-year class in the Karagin and Olyutor Bays was lower in abundance than the multi-year average. Because the WBS stock remains in a depressed state, fishing on this stock will be closed during 2001.

Navarin Basin: In the second half of 1999 and in 2000, VIRO, KamchatNIRO, and TINRO-Center conducted six bottom trawl surveys, six juvenile surveys, one ichthyoplankton survey, and one acoustic survey in the Navarin area. The results of these surveys indicated that the biomass of the Navarin pollock stock has not changed significantly since 1999--approximately 400,000-500,000 t. The analysis of surveys of juveniles in the Navarin area between June 1999 and November 2000 showed that the recent year classes (1997-1999) of pollock are average in terms of abundance. Individual fish born in 1996-1997 prevailed and constituted over 50 percent of the catches. The 1995-1996 bottom survey data compared with those of 1999-2000 indicate that the biomass of the fishing stock has dropped by 5-6 times.

Research Vessel Clearances: The NMFS Alaska Fisheries Science Center will not be conducting an EBS shelf hydro-acoustic research cruise in 2001, but will instead conduct its standard annual trawl surveys. For this reason, the United States will not apply for permission to enter the Russian zone to conduct Navarin shelf research in 2001. The U.S. side said it would apply for permission to work in the Navarin area in summer 2002 later in 2001. The United States would like to coordinate survey efforts with TINRO scientists, including intership hydro-acoustic equipment calibration. The U.S. delegation suggested that if logistics permitted, it would be good to have a Russian scientist on board for that cruise. The United States emphasized the importance of collaborative research efforts and requested Russian State Committee on Fisheries support for the 2002 request for the *MILLER FREEMAN* to conduct research in the Russian EEZ. The U.S. side also asked for any advice the Russian side could provide that might improve chances for approval.

The Russian side expressed its support for U.S. plans to conduct ship-based research in the Russian EEZ, while also noting that deciding on a program of joint scientific research will simplify the process of coordinating the plan of ship-based research. The Russian side suggested that intercalibration of acoustic equipment be conducted in 2001.

Salmon Issues

North Pacific Anadromous Fish Commission (NPAFC) Salmon Issues: The United States raised two issues regarding data exchange through the NPAFC. The U.S. side asked Russia to report its driftnet research catches of salmon, including catch by regions, subregions, and species by number and weight, to the NPAFC. The United States also indicated it would like ICC support for continuing the exchanges of specimens of various salmon species for genetic and river-of-origin studies under the auspices of NPAFC. The Russian side responded that it

would provide the driftnet information requested to NPAFC. It confirmed that Russia's driftnet research catches were 6,500 t in 2000, of which 600-700 t were taken in the Bering Sea. Most of this fish was pink and chum salmon; 20-25 percent was sockeye salmon. Russia also supported the continued exchange of salmon specimens on an institution-to-institution basis.

Both countries expressed support for the new NPAFC science plan. The plan encompasses three major areas of salmon research--Bering Sea research, winter research, and juvenile salmon research. The United States said it would like to coordinate closely with Russia on the implementation of the new plan and suggested that U.S. and Russian points-of-contact be named to work on implementation details after the ICC meeting. Dr. Kate Meyers will be the U.S. point-of-contact. Russia will name a point-of-contact at a later date. The U.S. side urged Russia to contribute ship time and historical data sets, and make an additional effort to recover high seas salmon tags.

The United States suggested that since both sides have agreed to carry out coordinated research efforts in a number of fora, holding an annual bilateral research coordination meeting with Russia would allow scientists to get together and discuss research issues in depth. Russia agreed with this concept, but suggested that initial coordination could perhaps be conducted via e-mail, due to financial considerations. Both sides agreed to set up coordination teams to initiate this process.

Intermixing of Salmon Stocks in the Russian EEZ: The United States stated that there has been little research conducted on the intermixing of salmon stocks in the Russian EEZ. The U.S. side said it would like to evaluate previous research on the mixed stocks and initiate new research to assess the impact of offshore fisheries on stocks of different origin.

In addition to seeking historical data, the United States believes there is a need to initiate new research programs. To that end, the United States proposed two new cooperative scientific research initiatives: (1) the placement of U.S. scientific observers on commercial and research salmon driftnet fleets in the Russian zone to collect specimens for scientific research, and (2) the collection of salmon specimens for stock identification studies on Russian vessels by Russian scientists or fishermen. The United States suggested that specific contact persons be designated to work out the details for carrying these initiatives. Dr. Kate Meyers will be the U.S. contact person.

The Russian delegation noted the importance of the salmon problem, and explained that according to the data from extensive scientific research, including that of the NPAFC, there is no intermixing of Russian and U.S. salmon stocks. Russia said it is possible that a very small number of immature fish migrate beyond the edge of the normal feeding range in July and during later periods. Data on differentiating stocks on the basis of scale structure and genetic markers confirms this point of view. Russia maintained that the maximum number of fish of U.S. origin that might be caught in the Russian EEZ in the Bering Sea is no higher than a few thousand, and more likely a few hundred--only a very small percentage of the total U.S. returns. With regard to joint Russian-Japanese salmon research, Russia noted that this research was dedicated exclusively to Russian and Japanese salmon stocks. The Russian delegation noted that funds have been allocated for genetic research on a series of salmon stocks.

The Russian delegation said that if the United States would compensate for vessel expenses for scientific research, work according to the program could begin in February 2001. Russia is prepared to provide a vessel for joint Russian-U.S. scientific research. Dr. Sergei Sinyakov was designated the point of contact for the Russian side.

Enforcement

Cooperation Between U.S. and Russian Fisheries Enforcement Organizations: Engagement between the U.S. Coast Guard in Alaska and the Federal Border Service in Kamchatka is strong and productive. There were two

visits in 2000 between the Admiral and General to plan cooperative enforcement efforts. As a result, a joint Russian/U.S. fisheries training class will be held at the Coast Guard's facility in Kodiak, Alaska, in January 2001. Also, the United States is hosting a multi-agency meeting of adjudicators with their Russian counterparts next month in Anchorage to exchange information on fisheries laws, evidentiary requirements, and penalties.

Violations in the Vicinity of the U.S.-Russia Maritime Boundary in the Bering Sea: Excellent U.S.-Russian enforcement relations enabled greater cooperation by both sides along the maritime boundary line in 2000. Twenty-six vessels were detected in the U.S. zone in 2000, compared to 90 in 1999. Six of the vessels were apprehended for illegal fishing in the U.S. EEZ, of which four involved direct cooperation between the U.S. Coast Guard and the Federal Border Service. In the case of the fishing vessels *GEMINI* and *EKARMA-3*, joint boardings were conducted. Although an improvement over 1999, the 26 violations are still a concern.

The Russian side reported that the number of fishery violations in Russia's EEZ near the maritime boundary line in 2000 dropped from the 1999 level by 1.5 times. There were 21 violations with the following breakdown by country: Russia(6), China(13), Republic of Korea (2). As a result of joint Russian-U.S. inspections, four vessels were detained, two of which were Russian. The Russian vessel *GEMINI* was fined 16,698 rubles, charged with damages in the amount of 2,378,437 rubles, and had 21.7 tons of pollock valued at 56,072 rubles seized. The *EKARMA-3* was fined 41,745 rubles, charged with damages in the amount of 126,025 rubles, and had 2,016 tons of pollock valued of 14,076 rubles seized. The Russian legislature is currently considering a proposal that would strengthen the penalties for fishing violations in the Russian EEZ. In 2001, the Northeast Regional Directorate of the Federal Border Service, U.S. Coast Guard District 17, and Canada plan to conduct enforcement events in accordance with a coordinated plan, which will be discussed in Vancouver in January 2001.

Northern Bering Sea Intergovernmental Fisheries Agreement

The Parties discussed a Russian proposal on a joint regime of conservation, management and sustainable utilization of pollock resources in the northern Bering Sea, and agreed to continue discussion of the draft agreement in Moscow in the summer of 2001 or later, following the receipt by the United States of a full proposal of a draft agreement from Russia.

Cooperation in International and Regional Fisheries Organizations

The two sides exchanged views with respect to fishery issues under consideration in a number of international and regional fisheries organizations. These organizations included the United Nations (implementation of the UN Fish Stocks Agreement and the FAO Agreement to Promote Compliance with Conservation and Management Measures by Fishing Vessels on the High Seas), the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea, the Northwest Atlantic Fisheries Organization (NAFO), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the North Atlantic Salmon Conservation Organization (NASCO), North Pacific Marine Science Organization (PICES), the Southeast Atlantic Fisheries Organization (SEAFO), and the Convention on International Trade in Endangered Species (CITES).

Prevention of Seabird By-catch in the Longline Fisheries of the North Pacific

The United States described the status of the U.S. National Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries and steps already taken to implement this plan in U.S. longline fisheries conducted in the Pacific Ocean. The U.S. side encouraged Russia to play a part in addressing this international problem by preparing on a voluntary basis its own National Plan of Action.

The Russian delegation responded that the bycatch of seabirds was an object of discussion in the framework of

CCAMLR. The Russian delegation reported that approximately 40 longline vessels operate in the Russian zone in the Far East. A longline fishing technique is being developed which will allow minimization of the bycatch of seabirds. Russia considers the acoustic scaring of birds the most effective method.

Sea of Okhotsk

The United States requested information from the Russian side on any measures Russia has adopted for the conservation of pollock resources in the Sea of Okhotsk, including the central Sea of Okhotsk, in 2001. The U.S. side has learned that Russia plans to suspend the issuing of pollock quotas to foreign countries in the Sea of Okhotsk in 2002 and expressed concern about the possible transfer of foreign fishing effort to the western Bering Sea and Navarin Basin area as a result of this action. The United States also expressed interest in any recent resource survey results and status of stock assessments for major species, as well as catch and effort statistics for major fisheries, in the Sea of Okhotsk and adjacent areas.

The Russian side reported that there was a significant reduction in the northern Sea of Okhotsk pollock stock in 2000. This stock serves as the basis for the pollock fishery in the open portion of the Sea of Okhotsk. The total allowable catch (TAC) of this stock fell from 900,000 t in 1995 to 510,000 t for 2001. Based on the autumn 2000 survey, the pollock TAC in the northern Sea of Okhotsk Sea may be set at 180,000 t in 2002. That figure will be adjusted, depending on the results of monitoring and surveys in the winter and spring of 2001. Russia announced it is discontinuing the allocation of pollock catch quotas in the Sea of Okhotsk to foreign vessels starting in 2002. The Russian side also reported that the size of pollock stocks in west Kamchatka and east Sakhalin remains low. If the biomass of the Sea of Okhotsk pollock stocks continue to decline, it will become necessary to completely close the fishery. The Russian delegation said that no allocations will be given to foreign vessels displaced from the Sea of Okhotsk anywhere in Russian waters.

Implementation of Russia's Vessel Monitoring System (VMS)

The Russian side provided an overview of its new VMS operations. Russia currently has two VMS centers, in Murmansk and Petropavlovsk. These two centers provide coverage of the Russian zone as well as the zones of several foreign countries. In 2000, there were 2,200 vessels registered in the Russian Far East industry monitoring system and 640 registered in the European part of Russia. Commercial activity was prohibited for vessels without the required monitoring system on board. A third industry monitoring center will be opened in Moscow in 2001.

Russia noted that analysis of the information provided by the monitoring system revealed a large number of violations, thus reducing the overall loss to Russia from poaching in the amount of approximately six billion rubles. The Russian side said it is continuing to develop a tamper-proof computerized version of a vessel log, which would allow a vessel's activities to be scrutinized at any time from shore.

Other Issues of Mutual Interest

Large-scale, High Seas Driftnet Fishing Issue: The United States reiterated its commitment to full implementation of the UN moratorium on large-scale driftnet fishing on the high seas. The U.S. side explained that in August 2000, the U.S. Government asked the Russian Government to provide (1) a statement indicating what steps it is taking to deter future incidents of large-scale high seas driftnet fishing involving Russian nationals and vessels and (2) any updated information on its actions with respect to prior incidents. In regard to the second request, the United States provided Russia with a list of Russian driftnet vessel sightings from 1998-2000. The U.S. side said it would greatly appreciate receiving a detailed response from Russia on this request, as well as an explanation of the vessels on the list.

The Russian delegation expressed its concern about continued illegal high seas driftnet fishing and reported on its active battle with poachers, both on the high seas and in the Russian EEZ. In the NPAFC Convention area in the North Pacific Ocean, the Federal Border Service actively cooperates with the U.S. Coast Guard in enforcing the moratorium on high seas driftnet fishing; the detention of the Honduras-flagged vessel *ARCTIC WIND* is an example of this cooperation. In the Russian EEZ in 2000, two vessels were detained for illegal fishing: the trawler/seiner *SEA DRAGON* ("*MORSKOI DRAKON*") and the fishing schooner *CAPITAN ROLZING* ("*KAPITAN ROL'ZING*").

Steller Sea Lion Issues: The U.S. side provided details on the fisheries management measures that have been developed for the Gulf of Alaska, Aleutian Islands, and Bering Sea to prevent further Steller sea lion declines and ensure their recovery and the severe impact of these measures on the pollock fishery in the U.S. zone.

The Russian delegation reported on the status of sea lions in the Russian EEZ. The total number of sea lions in the Far East region is approximately three and a half times smaller than it was in the 1950s and 1960s. As a result, sea lions have been in the Russian Red Book since 1992 and their commercial use is prohibited. According to available data, the number of sea lions in Russian Far East waters during the period 1997-2000 was 10,500. The Russian delegation pointed out that there is no correlation between long-term fluctuations in the numbers of pollock and sea lions. Russia maintains that pollock fishing does not have a decisive impact on the decline of the sea lion population.

Fishing Vessel Crew Member Visa Extensions: The Russian delegation reported that in recent years, U.S. immigration officials have made visa procedures more difficult for the crews of Russian fishing vessels stopping in West Coast ports for repairs. Visas are issued for only 29 days without the possibility of extension. As a result, if repairs take longer than 29 days to complete, Russian crews are forced to stay on board their vessels for extended periods of time. If they voluntarily go ashore, they risk arrest and deportation, and could be denied entry into the United States for up to 10 years. This issue was raised at the tenth session of the ICC and during the course of the Russian-American consultation on bilateral problem issues in November 2000. The U.S. side said that this issue could be addressed in the ICC forum, but cautioned the Russian side that there may not be discretion under U.S. law to resolve the issue.

Time and Place of the Next Meeting

The two sides agreed that the Thirteenth Session of the Committee could be held in Moscow in the October-November 2001. The exact time and location will be confirmed through diplomatic channels.

A copy of the complete minutes of the 12th Session of the U.S.-Russia ICC is available from the National Marine Fisheries Service upon request.

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United States-European Union High Level Fisheries Consultation

Basic Instrument

There is no formal instrument.

Implementing Legislation

None.

Members

The United States and the European Union (EU).

Meetings

The United States and the EU meet on an annual basis, alternating between the United States and the EU.

U.S. Representation

The Consultation consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Ambassador Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries, Department of State.

Description

The United States and the EU first met in 1997 to promote cooperation in the field of fisheries and fisheries research. Since then, they have held annual consultations to review fishery issues of mutual concern.

Recent Activities

Representatives from the United States and the European Union met on July 11-12, 2000, in Washington, DC, for the Fourth High Level Fisheries Consultations. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans and Fisheries. She was accompanied by Rolland Schmitten, Deputy Assistant Secretary for International Affairs, National Oceanic and Atmospheric Administration (NOAA). The U.S. delegation also included representatives from the Department of State, National Marine Fisheries Service (NMFS), and NOAA. The EU delegation was led by Steffan Smidt, the Director-General of Directorate General for Fisheries (DGF) and included other representatives from the DGF and the Directorate General for Trade. The meeting began with a full day technical session on July 11 that included only working-level staff. The July 12 meeting was a political session that included the respective heads of delegation.

Technical Session

Meeting of the North Atlantic Fisheries Ministers: The EU said it continues to fully support U.S. participation in the annual meetings of the North Atlantic Fisheries Ministers, which the United States has not been invited to attend. As hosts of the May 2001 meeting in Sweden, the EU delegation noted that the EU would be in a better position to convince the other participants to admit the United States to this meeting.

EU Commission's Role in Setting Salmon Catch Levels in the UK and Ireland: The EU delegation confirmed that the DGF has no power to regulate wild Atlantic salmon conservation and management measures in the waters of EU member States. DGF can only encourage these member States to implement measures adopted by the North Atlantic Salmon Conservation Organization (NASCO). The EU delegation noted that the effort to reform the EU's Common Fisheries Policy might include a change to enable Brussels to regulate coastal (within 12 nautical miles), estuarine and inshore (river) fisheries.

Governing International Fisheries Agreement (GIFA) with the EU: The EU delegation stated that the EU wishes to enter into a GIFA with the United States and that the Commission will forward formal notification to this effect in January 2001. EU fishers are interested in herring, mackerel, and possibly squid. The EU delegation noted that its fishing industry is aware that the GIFA will initially only permit joint venture fishing operations, but hopes eventually to engage in direct fishing operations in the U.S. zone. The U.S. side described the domestic political climate and status of current allocation of fisheries resources within U.S. waters.

Northwest Atlantic Fisheries Organization (NAFO) Issues

Quota Allocation: The EU delegation expressed support for the work of the NAFO Allocation Working Group, but noted that the process will likely take some time. It also generally supported quota allocations as the most efficient method of management and expressed flexibility regarding the time period used to determine historical catch for use in setting 3M shrimp quota allocations. However, the EU side noted that it could not accept catch histories based on fishing that took place under an objection (such as taken by Iceland). The EU delegation also expressed flexibility regarding the possible creation of an “others” category and concern over rapid increases in catch by NAFO members. The EU delegation stated that chartering operations facilitated these increases and noted the EU intention to push for NAFO to discontinue its chartering provisions at its 2000 annual meeting. Finally, the EU delegation agreed with the U.S. view that allocation of new NAFO fisheries should be given a priority in the work of the Allocation Working Group.

Control and Enforcement Scheme: The EU delegation noted that NAFO's Control and Enforcement scheme was developed piecemeal and should be completely revised. It also noted a desire to harmonize all North Atlantic control and enforcement schemes. The EU proposed to accomplish this by having NAFO adopt the control and enforcement scheme of the North East Atlantic Fisheries Commission (NEAFC). The United States agreed that the NAFO scheme could be improved and did not object to the concept of harmonizing NAFO rules with those of NEAFC. The U.S. delegation noted that it would want any revised NAFO rules to also incorporate provisions of the United Nations Fish Stocks Agreement (UNFSA) and other best practices from other regional fisheries organizations. The EU delegation asked for U.S. support for adoption by NAFO of a real-time satellite vessel monitoring system to improve control and enforcement.

Inter-American Tropical Tuna Commission (IATTC) Issues

Ratification of the EC Accession Protocol: In 1999, the IATTC negotiated a Protocol to amend the Convention establishing the IATTC so as to allow the EU to become a Contracting Party of the IATTC. The U.S. Department of State forwarded the Protocol to the White House, which will forward it to the Senate for advice and consent to ratification. The U.S. delegation explained that the United States only now forwarded the Protocol, adopted in June 1999, because until recently, the U.S. had hoped that the negotiations to revise the Convention establishing the IATTC would conclude in 2000. Since this revised text provides for EU membership, it would have been unnecessary to send both the revised agreement and the Protocol to the Senate for advice and consent. The United States said it is now less optimistic that the negotiations will be concluded in 2000, or even early 2001. Therefore, the Department of State sent the Protocol forward in the hope that it will allow the EU to join the IATTC in

advance of the entry to force of the revised IATTC Convention.

Agreement on the International Dolphin Conservation Program Dolphin-Safe Legislation: Imports of yellowfin tuna from Spain are prohibited because Spain has not received an "affirmative finding" that its tuna fishing practices comply with new U.S. Eastern Tropical Pacific tuna importation regulations. The U.S. delegation expressed its willingness to seek an "affirmative finding" for Spain and explained in great detail what Spain must do to receive such a finding. The EU delegation said it would relay this information to Spanish authorities for further action. The EU delegation also noted that although the tuna tracking system is not yet formally in place, all EU Member States are now applying it provisionally.

Pacific Multilateral High-Level Conference

EC Participation: To date, the EC is limited to observer status at the ongoing negotiations to create a management regime for the highly migratory fish stocks in the western and central Pacific Ocean. Once the negotiations are complete, a Preparatory Committee will undertake the work necessary to ensure the efficient operation of the organization being created once the agreement enters into force. The EU requested that the United States endorse, at the Conference, EU participation as a full member of the Preparatory Committee. The U.S. delegation explained that the U.S. Government does not oppose full participation by the EU, but noted that the 16 members of the South Pacific Forum Fisheries Agency have been clear and unequivocal in their opposition to such EU participation in the Preparatory Committee. The U.S. delegation noted that the decision regarding participation in the Preparatory Committee is one in which the United States has little influence.

Framework Agreement for the Conservation of the Fishery Resources of the Southwest Pacific High Seas (Galapagos Agreement): The EU and the U.S. delegations agreed that the Galapagos Agreement is not consistent with the Convention on the Law of the Sea and the UNFSA. The EU said it has already protested the Galapagos Agreement with the four signatories, Chile, Colombia, Ecuador, and Peru. The U.S. side said it would also convey U.S. concerns to the signatories regarding both the substantive provisions of the Galapagos Agreement and the process by which it was negotiated and adopted.

Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Issues

Catch Certification Scheme for Toothfish: CCAMLR's catch certification scheme for toothfish entered into effect on May 7, 2000. U.S. regulations to implement the scheme went into effect on that date. The United States expressed concern about the delay the EU is experiencing in implementing the scheme. The EU delegation indicated that all of its member States are required to comply with the scheme and that it hoped to have the scheme reflected in EU law by the end of 2000.

Portuguese Fishing: At the 1999 meeting of CCAMLR, the EU sought agreement that Portugal, an EU member State but not party to CCAMLR, be permitted to fish in CCAMLR waters. The United States and all other non-EU members of CCAMLR opposed this proposal. The EU delegation indicated that Portugal had ceased any interest in fishing in CCAMLR waters.

Implementation of the FAO Plans of Action on: Shark Management, Reducing Seabird Bycatch in Longline Fisheries and Managing Fishing Capacity: The United States reported on the status of its national plans of action for sharks, seabirds, and capacity. The EU indicated that it would coordinate the individual national plans that its member States are developing for sharks and seabirds. The EU delegation noted that of the three FAO Plans of Action, managing capacity is the most important to the EU. The EU delegation also indicated that it is not fully satisfied with the current capacity management program and that the reform of the EU's Common Fisheries Policy

will include improvements in this area.

Both delegations agreed that the draft international plan of action produced at the fisheries expert meeting in Sydney, Australia, on May 15-19, 2000, is the starting point for any further work. Both sides agreed that much work remains to be done, but shared a commitment to adopt an international plan of action at the February 2001 meeting of FAO's Committee on Fisheries.

Political Session

Integrating Environmental and Conservation Considerations in EU Fisheries Policy: In recent years, the United States has pressed the EU to incorporate environmental and conservation considerations in EU fisheries policy. In the view of the United States, the EU seems to view marine conservation issues in primarily economic terms. During the U.S.-EU fisheries consultations, the EU delegation noted that the EU is developing long-term biological diversity management plans based on the precautionary principle, monitoring of stocks, and new research. The EU side also confirmed the Common Fisheries Policy reform process. It indicated that the five priority areas to be examined during the reform process are conservation of resources, the Common Fisheries Policy's economic and social dimension, external fisheries relations, the Mediterranean Sea, and "good governance."

UNFSA and Status of Community and Member State Ratification: In 1996, the EU decided in a Fisheries Council decision that member States and the Commission would deposit their respective instruments of ratification to the UNFSA simultaneously. The reason given for this decision is the mixed competency of the Agreement's provisions. To date, only three EU member States have completed domestic procedures and are ready to deposit their instruments of ratification to the UNFSA (Italy, Sweden, and UK). The EU delegation shares the concern of the United States about the delay in action by many EU Member States. The Commission is considering whether to initiate a proposal for a new Council decision in 2001 to reverse the "simultaneous deposit" decision.

Implementing the Precautionary Approach in Regional Fisheries Organizations (RFO): The United States stressed that implementation of the precautionary approach in RFOs was essential for the long term health of fishery resources. The U.S. and EU delegations recognized that they have a significant difference in view concerning how to incorporate socio-economics into the application of precautionary approach. The United States believes that long-term socio-economic aspects should take priority when making management decisions under a precautionary approach, whereas the EU places more emphasis in short and medium term socio-economic impacts.
With respect to applying the precautionary approach to RFOs, the United States noted the positive developments on the issue in NASCO and stressed the need to take action to move from theory to practice in NAFO and ICCAT. Toward that end, the United States proposed and the EU agreed to work bilaterally to identify certain fish stocks under the purview of both ICCAT and NAFO and to try to apply the precautionary approach to them. Both managers and scientists would be involved in this process. The EU commented that this process likely would not result in agreed regulatory action, but that it would result in improved understanding of the issues. The two sides considered skate and yellowfin tuna as possible candidate species for this exercise although it was agreed that both parties would consult further through the State Department to decide which stocks would be appropriate. The United States indicated its interest in presenting the results of the exercise to the regional organizations in question but stressed that good bilateral progress would be necessary if the effort is to move these organizations forward.

Dispute Settlement Procedures (DSP): The remaining issue that divides the United States and the EU in NAFO's effort to develop dispute settlement procedures is whether to apply the DSP of the 1995 UNFSA to discrete stocks (i.e., stocks under the purview of NAFO that are not straddling stocks). The United States would prefer to apply

the provisions of the UNFSA to disputes involving discrete stocks; the EU would prefer to apply the DSP provisions of the Law of the Sea Convention. The U.S. delegation asked why the EU could not accept the UNFSA's provisions since these provisions refer to Law of the Sea Convention procedures. The EU delegation indicated that they would examine this and provide a reply at a later date.

International Commission for the Conservation of Atlantic Tunas (ICCAT) Issues

Allocation Criteria Development. Both parties recognized the critical importance of this issue to the future of ICCAT and the need to reach agreement within a reasonable time frame. The EU side also suggested that one approach would be for the "donor" nations to respond collectively on the issue. While indicating a desire to be cautious, the EU delegation stated that it was ready to coordinate positions with the United States and Japan in an effort to close the current gap. The U.S. delegation stressed the need to keep the developing coastal states interested and involved in the allocation process, the need for strong leadership from the Chair of the ICCAT allocation criteria working group, and the need for a revised working document for consideration at the third working group meeting, which will probably take place in early 2001.

Stock Rebuilding: Because rebuilding overfished species is of primary importance to the United States, the U.S. delegation suggested that the EU choose a stock that the United States and the EU could work on together to develop a rebuilding program. This program would be presented to ICCAT jointly.

Compliance: Ensuring compliance with ICCAT conservation and management measures is another high priority for the United States. The United States noted its concern with the level of compliance by certain EU Member States, and stressed that all ICCAT members must complete their ICCAT compliance tables prior to the November 2000 ICCAT meeting. The EU delegation stated that compliance was very important and admitted that it has a significant amount of work to do at home.

South East Atlantic Fisheries Organization (SEAFO): At the May 8-12, 2000, conference to negotiate establishment of SEAFO, a prolonged and at times rancorous discussion arose regarding the issue of whether member States of a regional economic integration organization (REIO) – as well as the REIO – may become Contracting Parties. EU representatives have stated that the EU intends to join SEAFO as a Contracting Party. Further, they claim that, as a legal matter, EU member States are precluded from joining as Contracting Parties. How REIOs and their member states will be treated pursuant to the draft Convention has practical implications for the SEAFO regime in the area of responsibility for Convention obligations, budget allocations, dispute resolution, and entry into force provisions. A key question is whether member states of a REIO and the REIO itself would be entitled to a voting right. Nothing in the current draft would preclude this at this point.

The United States believes that the EU should file a declaration clarifying the legal competencies between the EU and its member States for matters covered under the Convention (i.e., that it confirms the Commission's exclusive competence over the matters covered by the Convention with respect to the territories within the EU) and agree to amendments to the draft Convention clarifying under what circumstances, if any, EU member States will be eligible to join the SEAFO regime. Furthermore, the United States believes that if the EU has exclusive competence for matters covered under the Convention, as it has represented to date, its member States should be precluded from becoming party to the Convention, except to represent the interest of a territory in the region (i.e., a member State's territory(s) outside the EU, in this case the United Kingdom, in respect of St. Helena and its dependencies).

While first discussing this issue during the July 11 Technical Session, the EU came to the conclusion that they had

misunderstood what the United States was trying to achieve. The EU was under the impression that the United States was challenging the right of the European Community to become a Contracting Party to SEAFO. The EU came to realize that the U.S. side was seeking clarification of the EU's exclusive competence as the Contracting Party vis-a-vis its member States and a declaration to this effect. During the July 12 Political Session, the EU representative acknowledged the confusing nature of European Commission/member State competency. He also acknowledged that he now understands that the United States is seeking clarification of competency and assurances as to whether the EU member States would have legal competency to become Contracting Parties to the SEAFO Convention. The EU representative did not commit immediately to a declaration, upon EU ratification of the SEAFO Convention, but did say the U.S. request was not unreasonable and promised to investigate the matter and provide a formal reply shortly.

Next Meeting

The EU extended an invitation to host the next session of the U.S.-EU High Level Fisheries Consultations in Brussels in July 2001.

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PART III. SCIENTIFIC ORGANIZATIONS AND COUNCILS

PACIFIC OCEAN

North Pacific Marine Science Organization (PICES)

Basic Instrument

Convention for a North Pacific Marine Science Organization (PICES)

Implementing Legislation

No implementing legislation. Self-executing treaty; under the general authority of the Secretary of State.

Member Nations

Canada, Japan, People's Republic of China, Republic of Korea, Russian Federation, and the United States of America

Organization Headquarters

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Web address: http://pices.ios.bc.ca/

Chair of Governing Council: Dr. Hyung-Tack Huh
Director, Korea Ocean Research and Development Institute

Vice Chair: Dr. Vera Alexander
Dean, School of Fisheries and Ocean Sciences
University of Alaska

U.S. Representation

A. Appointment Process

The United States is represented on the PICES Governing Council by two delegates appointed by the Secretary of State in consultation with interested agencies and institutions: one from a major Federal Government research agency and one from a research university or other academic institution. The United States is represented on the Scientific Committees and Working Groups created by the Governing Council by individuals appointed by the Secretary of State in consultation with interested agencies and institutions.

B. U.S. Delegates:

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D. Working Groups

Currently active PICES Working Groups are:

WG12-Crabs and Shrimps
WG13-Carbon Dioxide in the North Pacific
WG14-Effective sampling of micronekton to estimate ecosystem carrying capacity
WG15-Ecology of Harmful Algal Blooms in the North Pacific
WG16-Implications of Climate Change to Fisheries Management

Description

A. Mission/Purpose:

The area which the activities of PICES concern is defined by the Convention as the temperate and sub-Arctic region of the North Pacific Ocean and its adjacent seas, especially northward from 30°North Latitude. Activities of the organization may, for scientific reasons, extend farther southward in the North Pacific Ocean.

The primary role of PICES is to coordinate research efforts undertaken by the Parties and to facilitate the exchange of scientific and technical information on a broad range of scientific disciplines. The organization provides an international forum to promote greater understanding of the biological and oceanographic processes of the North Pacific Ocean and its role in global environment.

B. Organizational Structure:

PICES is comprised of (1) a Governing Council, (2) a Science Board (3) such permanent or ad hoc scientific groups and committees as the Governing Council may from time to time establish, and (4) a Secretariat. The Governing Council has both scientific and administrative functions.

The scientific functions of the Governing Council are to identify research priorities and problems pertaining to the Convention Area and appropriate methods for their solution; to recommend coordinated research programs and related activities pertaining to the Convention Area which shall be undertaken through the national efforts of the

participating Contracting Parties; to promote and facilitate the exchange of scientific data, information and personnel; to consider requests to develop scientific advice pertaining to the Convention Area; to organize scientific symposia and other scientific events; and to foster the discussion of problems of mutual scientific interest.

The administrative functions of the Governing Council are to adopt and amend the Rules of Procedure and Financial Regulations; to consider and recommend amendments to the Convention; to adopt the annual report of the organization; to examine and adopt the annual budget and financial accounts of the organization; to determine the location of the Secretariat; to appoint the Executive Secretary; to maintain contact with other international organizations; and to manage the activities of the organization.

C. Recent Activities:

The ninth Annual Meeting of PICES was held in Hakodate, Japan, in October 2000. Significant decisions included the following:

1. In response to an invitation from Mexico, the PICES Governing Council approved a visit of the Science Board Chair and Executive Secretary to Mexico in 2001 to inform Mexican scientists and scientific organizations about PICES. Official negotiations with the Mexican Government will be pursued if sufficient interest is expressed.

2. The PICES Governing Council approved the theme adopted by the PICES Fund-Raising Committee, "To advance scientific knowledge of the ocean environment", and six projects identified for attention during 2001.

3. A 1-year Study Group will be organized to consider the needs for implementation of a North Pacific Ecosystem Status Report and Regional Analysis Centers.

4. The Governing Council approved the establishment of the annual PICES Wooster Award, named in honor of the principal founder of PICES. The Award will be given to an individual who has made significant contributions to North Pacific marine science.

5. The PICES Governing Council endorsed proposed special events related to the Tenth Annual Meeting which will be held in Victoria, Canada, from October 5-13, 2001. China will host the Eleventh Annual Meeting in 2002.

A detailed report of the Hakodate meeting will be available from the PICES website (http://pices.ios.bc.ca/) as of March 2001.

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ARCTIC OCEAN

Program for the Conservation of Arctic Flora and Fauna (CAFF)

Basic Instrument

The Program for the Conservation of Arctic Flora and Fauna was established to address the special needs of Arctic species and their habitats in the rapidly developing Arctic region. It forms one of four programs the Arctic Council created by the Declaration on the Establishment of the Arctic Council, signed September 19, 1996 in Ottawa, Canada. The Arctic Council succeeded the Arctic Environmental Protection Strategy (AEPS), adopted through a Ministerial Declaration at Rovianemi, Finland in 1991.

Implementing Legislation

None.

Member Nations

Canada, Denmark/Greenland, Finland, Iceland, Norway, Russia, Sweden, and the United States.

Organization Headquarters

The CAFF International Secretariat is located at Hafnarstraeti 97, 600 Akureyri, Iceland.

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Budget

The cost of the Secretariat is borne largely by Iceland, the host country, supported by voluntary contributions from Member countries. The U.S. contribution for 1999/2000 is $40,000, provided by the U.S. Fish and Wildlife Service (FWS), Alaska Region.

U.S. Representation

A. Appointment Process

The U.S. Department of State has designated the FWS as the lead Federal agency for CAFF. The FWS Alaska Region Assistant Regional Director for International Affairs serves as the U.S. National Representative to CAFF and leads the U.S. delegation to the biannual meetings of CAFF.

B. U.S. Delegates and Scientific Advisers

U.S. delegates and scientific advisors are provided to CAFF by the Department of State, FWS, the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, Alaska Department of Fish and Game, and non-governmental organizations.

C. Interagency Arctic Policy Group (APG)

U.S. participation in CAFF is also informed and advised by the Interagency Arctic Policy Group convened on a monthly basis by the Department of State.

Description

A. Mission/Purpose:

CAFF's main goals are to:

(1) conserve Arctic flora and fauna, their diversity and their habitats; (2) protect the Arctic ecosystem from threats; (3) improve conservation and management, laws, regulations and practices for the Arctic; and (4) integrate Arctic interests into global conservation.

Its guiding principles are:

(1) the involvement of indigenous and local people and the use of traditional ecological knowledge; (2) the use of a broad, ecosystem-based approach to conservation and management; (3) cooperation with other conservation initiatives and the other Arctic Council programs (AMAP, the Arctic Monitoring and Assessment Program; PAME, the Program for the Protection of the Arctic Marine Environment; and EPPR, the Program for Emergency Prevention, Preparedness, and Response) to minimize duplication and to increase effectiveness; and (4) effective communication with respect to CAFF programs.

B. Organizational Structure:

CAFF operates through a system of Designated Agencies and National Representatives responsible to CAFF and their respective countries. The National Representatives and Permanent Participants meet several times a year to guide the administration of CAFF work and to prepare CAFF reports to meeting of Senior Arctic Affairs Officials and Arctic Ministers under the AEPS. CAFF meets annually to assess programs and to develop CAFF Work Plans. It is directed by a chair and vice-chair which rotate among the Arctic countries, and is supported by an International Secretariat. As needed, CAFF also establishes Specialist and Expert Groups to address program areas.

Most of CAFF's work is carried out through a system of lead countries as a means of sharing the workload. Whenever possible, CAFF works in cooperation with other international organizations and associations to achieve common conservation goals in the Arctic.

C. Recent Activities:

The CAFF program of work is guided by the “Strategic Plan for the Conservation of Arctic Biological Diversity”and undertakes five priority tasks identified by the Arctic Council. These are to:

1. prepare an overview report on status and trends in changes to Arctic ecosystems, habitats, and species;
2. assess, in collaboration with the Arctic Monitoring and Assessment Program (AMAP), the impacts of

climate change on Arctic ecosystems;
circumpolar biodiversity;
4 continue developing and coordinating implementation of the Circumpolar Protected Areas Network (CPAN) with focus on the marine environment;
5. continue coordinating implementation of the Murre and Eider conservation strategies and action plans.

Completion of CAFF's overview report on Arctic conservation issues is progressing well. CAFF plans to deliver the report to the meeting of the Senior Arctic Officials (SAO) to be held in conjunction with the meeting marking the tenth anniversary of the AEPS in June 2001. Specific recommendations will be presented by CAFF in a separate report.

CAFF has actively participated in the Assessment Steering Committee for the Arctic Climate Impact Assessment (ACIA) and assisted in the preparation of relevant ACIA documents submitted to the Arctic Council, including the ACIA Implementation Plan. CAFF and AMAP held a joint meeting on ACIA in Trondheim, September 4, 2000 to discuss and harmonize climate change research and monitoring work. The meeting confirmed the will of the two programs to work closely together on this important issue.

CAFF held a workshop in Reykjavik, Iceland in February 2000, co-sponsored with AMAP, on identifying priority elements of a program to monitor circumpolar biodiversity. Based on the results of the workshop, CAFF has established, as the pilot phase of this monitoring initiative, nine voluntary expert monitoring networks on important elements of Arctic biota for which there are national and regional interests.

With respect to CPAN, CAFF co-sponsored a Circumpolar Marine Workshop with the World Conservation Union (IUCN) and PAME in November 1999, to explore practical ways to promote conservation, environmental protection, and sustainable development in coastal and marine ecosystems. CAFF published a "Summary of Legal Instruments and National Frameworks for Arctic Marine Protection" as CAFF Habitat Report No. 8, which suggests that there is already sufficient legislation to protect the Arctic marine environment and conserve its biodiversity and habitats. However, a general conclusion from the report is that the legislation is not always implemented or its provisions adequately enforced. CAFF also published a "GAP Analysis for the Russian Arctic in Support of CPAN" (Habitat Conservation Report No. 9) providing in 22 maps a wealth of data that can be useful in assisting Russia in focusing its efforts to establish protected areas.

The "Atlas of Rare Endemic Vascular Plants of the Arctic" was printed as CAFF Technical Report No. 3. The atlas describes and provides distribution maps of 96 vascular plant species endemic to the Arctic region, only 30% of which are fully protected. The completion of the Circumpolar Arctic Vegetation Map is progressing well. The final product, a circumpolar synthesis map and database, is planned for completion in 2002.

The CAFF Circumpolar Seabird Working Group (CSWG) met in Ottawa in December 1999. National implementation of the International Murre Conservation Strategy and Action Plan and the Circumpolar Eider Conservation Strategy and Action Plan is well underway. In support of both strategies, CAFF hosted a workshop on "Seabird Incidental Bycatch in the Waters of Arctic Countries" in Dartmouth, Nova Scotia, April 26-28, 2000, which produced recommendations on outreach and education, monitoring and assessment, mitigation measures, and mechanisms for reducing the bycatch of seabirds in commercial marine fisheries. The workshop proceedings emphasize the need to bring fisheries management and seabird conservation agencies together within each CAFF country to effectively address this conservation concern. Further, the report on "Seabird Harvest Regimes in the Circumpolar Nations", which summarizes current harvests of seabirds and impacts on their populations, was published as CAFF Technical Report No. 5.

A workshop on the "Conservation of Arctic Breeding Migratory Birds Outside the Arctic" was held in Songli, Norway on 10-11 September 2000. It addressed the recommendations presented in CAFF Technical Report No. 4 "Global Overview of the Conservation of Migratory Arctic Breeding Birds Outside the Arctic", considering the need for international initiatives to protect Arctic bird species that migrate south to over-winter beyond the Circumpolar Region.

Since 1998, CAFF has initiated two new projects. The CAFF chair, Russia and UNEP developed a proposal on "Integrated Ecosystem Approach to Conserve Biodiversity and Minimize Habitat Fragmentation in the Russian Arctic." The second project addresses an issue of high priority to indigenous people, the project on "Biological Significance of Sacred Sites of Indigenous Peoples in the Arctic: A Study in Northern Russia." Its objective is to enhance protection and management of sacred sites through linkage with biodiversity conservation efforts under CAFF/CPAN.

D. Future Activities

Future activities are grouped around the five objectives of the CAFF Strategic Plan:

Monitoring of Arctic Biodiversity

- continue the development and implementation of a comprehensive network to monitor biodiversity, focusing on key species and species-groups of ecological and economic value,
- play an integral role in the completion of the Arctic Climate Impact Assessment (ACIA), and
- develop and implement monitoring activities in collaboration with AMAP, in support of ACIA and other assessments.

Species and Habitat Conservation

- support the further development of the flora group to address priority flora and vegetation issues and support ACIA, biodiversity monitoring and CPAN
- finalize the Circumpolar Arctic Vegetation Map
- continue coordinating the implementation of the murre and eider strategies,
- address the recommendations from CAFF's work on seabird bycatch and the conservation of migratory birds outside the Arctic.

Protected Areas

- continue coordinating the implementation of the CPAN with specific focus on the full range of values of Arctic protected areas
- consider marine protection in collaboration with PAME
- establish electronic linkages to facilitate communication among protected area manager
- integrate protection of indigenous sacred sites into CPAN.

Biodiversity Conservation Outside Protected Areas

- complete the project development phase of the GEF project on "An Integrated Ecosystem Approach to Conserve Biodiversity and Minimize Habitat Fragmentation in the Russian Arctic," including securing the necessary funds to complete the development phase and start the larger project.

Integration and Information Sharing

- complete the full CAFF overview report on Arctic conservation issues
- prepare recommendations based on the overview report, and
- use the report and recommendations to enhance awareness among the public and decision-makers about important Arctic biodiversity concerns.

E. Meetings

CAFF meets on an every two year basis. CAFF held its Eighth meeting in Trondheim, Norway, September 4-8, 2000. The next plenary meeting of CAFF will be hosted by Sweden in 2002. The National Representatives to CAFF meet on an approximately every 6-month basis to address administrative and organizational matters.

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GLOBAL

Global Environment Facility (GEF)

Basic Instrument

Instrument for the Establishment of the Restructured Global Environment Facility. The Instrument was approved by participating countries in March 1994.

Implementing Legislation

No new implementing legislation needed. U.S. participation in the GEF is dependent on contributions from the Treasury Department to the GEF Trust Fund, through annual appropriations.

Member Nations

As of January 2000, a total of 157 countries, including both recipient countries and donors such as the United States, were participants in the GEF.

Secretariat Headquarters

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GEF Chief Executive Officer: Mohamed El-Ashrey

Budget

In 1998, 36 nations including the United States, pledged US$2.75 billion to the second replenishment of the restructured GEF (GEF-2; 1999-2002). The United States pledged the largest amount, $430 million to be contributed over several fiscal years. Current U.S. contributions to the GEF come from the Department of the Treasury. Contributions to the GEF are meant to be "new and additional," i.e., over-and-above existing official development assistance. Between 1991 and 1999, the GEF invested over $2.5 billion in environment projects. Replenishment negotiations for GEF-3 are scheduled to be completed in December 2001.

U.S. Representation

The Department of the Treasury has the lead for the U.S. Government. As of February 2001, U.S. representation by Treasury on the GEF Council, had not yet been identified by the G.W. Bush Administration. NOAA has consistently played an important advisory role at both the policy and project level. The NOAA International Liaison Staff has had the lead on GEF issues for NOAA.

Description

A. Mission/Purpose:

The GEF is the primary multilateral financial mechanism to protect the global environment through projects and programs in four focal areas: conserving biological diversity, mitigating climate change, reducing pollution of international waters, and phasing out the production and use of stratospheric ozone depleting substances (in countries not covered by the Montreal Protocol Fund). The GEF provides grants and concessional funding to recipient countries (developing countries and countries with economies in transition) to cover the incremental costs to achieve global environment benefits in the focal areas. The GEF operates the financial mechanisms for the U.N. Framework Convention on Climate Change and the Convention on Biological Diversity. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

B. Organizational Structure:

The GEF is governed by a 32 member GEF Council representing constituencies of over 160 donor and recipient country governments. The GEF Council meets at least twice a year to review and approve the work programs, policies, and administration of the GEF. The United States has one of the seats on the Council. A universal GEF Assembly meets approximately every three years. The first meeting of the Assembly occurred in 1998.

GEF projects and programs are managed through three implementing agencies: the World Bank, the United Nations Development Programme (UNDP), and the United Nations Environment Programme (UNEP). The World Bank and UNDP manage the lion's share of the projects. The GEF Secretariat, which is functionally independent from the three implementing agencies, reports to and services the Council and Assembly of the GEF. A Scientific and Technical Advisory Panel, convened by UNEP, provides advice on technical issues at the request of the Council and manages a roster of experts that provides technical reviews of individual projects.

C. Programs:

The GEF was created as a multilateral mechanism to fund the incremental costs of achieving global environmental benefits in developing countries and countries with economies in transition. In particular, it was designed to fund agreements expected to be achieved at the 1992 U.N. Conference on Environment and Development in Rio de Janeiro, Brazil. It began as a three-year pilot-phase Facility in 1991. During the Pilot Phase, the United States did not contribute directly to the GEF core fund, but instead pledged and funded $150 million in "parallel-financed" GEF projects funded and managed by the U.S. Agency for International Development.

The Facility was restructured and replenished with over US$2 billion in 1994 (GEF-1), to cover the agreed incremental costs of activities that benefit the global environment in four focal areas: climate change; biological diversity; international waters; and stratospheric ozone. Both the Framework Convention on Climate Change and the Convention on Biological Diversity have designated the GEF as their funding mechanism on an interim basis. The second replenishment (GEF-2) was completed in early 1998.

Countries may be eligible for GEF funds in one of two ways: (1) if they are eligible for financial assistance through the financial mechanism of either the Framework Convention on Climate Change or the Convention on Biological Diversity; or (2) if they are eligible to borrow from the World Bank or receive technical assistance grants from UNDP through a Country Program. A country must be a party to the Climate Change Convention or

the Convention of Biological Diversity to receive funds from the GEF in those focal areas. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

To date, the GEF has approved proposals more than 700 projects in 125 countries, totaling over $2.5 billion in GEF financing. Between 1991 and 1999, GEF allocated $991 million in grants and mobilized and additional $1.5 billion in co-financing (from recipient countries, bilateral agencies, other development institutions, the private sector, and nongovernmental organizations) for biological diversity projects. During the same period GEF allocated $884 million to 227 climate change projects and enabling activities, which was matched by more than $4.7 billion in co-financing; and nearly $360 million to international waters initiatives.

Marine Issues: Marine projects of interest to NMFS may be funded under either the biodiversity focal area or the international waters focal area. Coastal, marine, and freshwater ecosystems represent one of four operational programs in the biodiversity focal area. The objective of the program is the conservation and sustainable use of biological resources in these ecosystems. The GEF has recently funded several World bank projects in developing countries specifically related to marine fisheries, and will play a key role in the World Bank's Sustainable Fisheries Forum. The GEF is showing increasing flexibility and breaking new ground both in types of projects and as a coordination mechanism among U.N., bilateral, and multilateral development bank assistance mechanisms. NOAA has only begun to utilize the many opportunities for collaboration and leverage that the GEF provides.

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International Council for the Exploration of the Sea (ICES)

Basic Instrument

The Council was established by an exchange of letters on July 22, 1902, in Copenhagen, Denmark, with eight country representatives in attendance (Denmark, Germany, Norway, Russia, Finland, the Netherlands, Sweden, and the United Kingdom of Great Britain). The United States joined the Council on July 22, 1912. From 1902 until 1964, the Council operated in a kind of "gentlemen's agreement" fashion. Then, on September 12, 1964, the Council membership concluded the Convention for the International Council for the Exploration of the Sea, 1964 (TIAS 7628), giving it true and full international status. The Convention fixed the seat of the Council at Copenhagen and, by the end of 1967, all Contracting Parties had ratified the Convention, which came into force on July 22, 1968.

Member Nations

Belgium, Canada, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Latvia, Netherlands, Norway, Poland, Portugal, Russia, Spain, Sweden, United Kingdom of Great Britain, and the United States of America.

Council Headquarters

International Council for the Exploration of the Sea
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Budget

The 2000 budget is 22, 688,835 DKK. (approximately $3,489,800). The U.S. contribution is 957,150 DKK (approximately $147,650).

U.S. Representation

A. Process:

NMFS, through NOAA and DOC, and the National Science Foundation, provides the Department of State with recommendations for the U.S. representatives (delegates and advisors) to the annual meeting.

B. U.S. Representation:

Both U.S./ICES Delegates participated in the 2000 Annual Science Conference, 88th Statutory Meeting, held in Brugge, Belgium, 24 September to 4 October, 2000.

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C. Committees and Working Groups:

U.S. representation in ICES has no formal (legislated) advisory structure. During 2000/2001, the United States has members on all 9 Committees and more than 60 Working/Study Groups.

Description

A. Mission/Purpose:

ICES is the oldest oceanographic organization in the North Atlantic area and is the premier body for giving advice at the international level on scientific and policy matters relating to fisheries, pollution and other marine environmental issues. ICES provides advice on pollution matters to the London, Oslo and Helsinki Conventions for Marine Pollution, and on fisheries matters to the Convention for the Conservation of Salmon in the North Atlantic Ocean (NASCO); the United States is a party to all of these conventions. ICES also advises the North-East Atlantic Fisheries Commission (NEAFC) and the International Baltic Sea Fishery Commission. ICES also has strong formal ties to the Intergovernmental Oceanographic Commission (IOC), to which the United States belongs, and the annual ICES meeting is the major forum for coordinating the planning and execution of ICES/IOC joint research on living marine resources in the North Atlantic.

The United States has been a member of ICES since 1912 and, in recent years, has strengthened its leadership role, particularly in the Advisory Committees on Marine Pollution and on Fisheries Management, in order to direct the organization's work towards issues and concerns of U.S. interest. U.S. representatives serve on all of the nine Advisory and Standing Committees which meet in concurrent session during the Annual Science Conference to plan the work of ICES and to conduct its business.

B. Organizational Structure:

The Council consists of the President, who presides at all meetings of the Council and the Bureau and two delegates from each participating country. The Bureau, the executive body of the Council, meets Intersessionally and consists of the President, a First Vice President and five Vice Presidents elected from the delegates, each for a 3-year term. On completion of his term of office a member of the Bureau is not eligible for re-election to the same office for the succeeding term.

The Council does most of its work through two Advisory and seven Standing Committees. The chairmen of these Committees constitute the Consultative Committee, whose chairman is elected by the committee, but not necessarily from its members. The chairman of this committee is also the chairman of the Liaison Committee, which provides advice to the North-East Atlantic Fisheries Commission.

The chief executive officer of the Council is the General Secretary who is responsible to the Bureau for the

management of the Council's staff and office. He is appointed by the Council, on the advice of the Bureau.

The Service Hydrographique is under the immediate direction of the Council's Hydrographer. The Statistician acts as Secretary of the Liaison Committee and to the various working groups established by the Council. He also provides advice on such statistical matters as may come within the scope of his office.

Delegates of participating countries may be accompanied by experts at annual or other meetings of the Council. Each annual meeting of the Council has a formal opening presided over by the President which may be attended by delegates, the experts appointed by member countries, observers appointed by the various international organizations which have received invitations from the Council, and guests, usually persons from non-member countries wishing to take part in the meeting. All other meetings of the Council proper are restricted to delegates. Certain committees, such as the Consultative, Liaison, Finance and Editorial Committees are not open to non-members.

The Advisory and Standing committees produce reports at each annual meeting, which are considered, together with any recommendations, by the Consultative Committee. The recommendations of the Consultative Committee are passed to the full Council for decision, which if agreed, are binding on the Council. The Council as a scientific body is only concerned with scientific matters. Its constitution prohibits it from dealing with non-scientific matters.

The current scientific committees are: Oceanography Committee, Marine Habitat Committee, Living Resources Committee, Resource Management Committee, Fisheries Technology Committee, Mariculture Committee, and Baltic Committee. The Resource Management, Fisheries Resources, Marine Habitat, and Oceanography Committees are intended to promote integrated scientific programs, whereas the other three committees are more specialized committees that have been retained from the previous structure because they have broad support from their members.

Using the information provided by the Working Groups, the Advisory Committee on Fishery Management (ACFM) provides advice, upon direct request, to regulatory fishery commissions on behalf of the Council. ACFM meets twice a year and its findings and advice are supplied to the member countries of ICES, the Commission of the European Communities, and to three fishery commissions.

Since 1902, the Council has met in a number of places in Europe and North America, including Copenhagen, its seat.

ICES continues to be an organization with a lot of diverse scientific activities supported by an active scientific community.

Recent Activities

The year 2000 Annual Science Conference (ASC) and 88th Statutory Meeting of ICES had nearly 550 registered participants from more than 20 countries. Eighteen scientific theme sessions were held during the ASC on a diverse array of topics, such as: defining the role of ICES in supporting the International Biodiversity Convention, classification and mapping of marine habitat, cooperative research with the fishing industry, spatial and temporal patterns in recruitment processes, medium term forecasts in decision making, environment-plankton-fish linkages, and the downturn in North Atlantic salmon abundance.

Highlights of the 2000 ASC:

Scientific Committees, Advisory Committees, the Consultative Committee and the Council of Delegates held many meeting before, after, and during the ASC to conduct the business of ICES. They dealt with planning of future scientific activities, budget and organizational issues, and the election of officers of ICES. Some of the highlights, of particular interest to the United States, are as follows:

1. The processes and organizational structure for giving scientific advice on fisheries management, environmental issues and ecosystem issues had been under review by ICES for several years. A Bureau Working Group prepared a specific proposal to improve ICES capability to give relevant, responsive, credible and sound advice. After lengthy discussion and debate, the Bureau's proposal was adopted. The proposal adopted by the Council:

- Establishes a Management Committee for the Advisory Process (MCAP) to plan work with clients and to assign advisory tasks to the appropriate advisory group
- Continues an Advisory Committee for Fisheries Management (ACFM) which will be responsible for ongoing (recurring) advice, such as on TACs
- Continues an Advisory Committee on the Marine Environment (ACME) which will be responsible for ongoing advice on environmental issues, such as contaminants
- Establishes an Advisory Committee on Ecosystems (ACE) to develop new approaches to giving integrated advice on ecosystems, such as on the ecosystem effects of fishing
- Allows MCAP to establish additional ad hoc advisory groups as needed to fulfill needs for advice
- Strengthens peer review of advice and establishes period peer review of the advisory process
- Encourages the participation on Advisory Committees to be changed in response to specific agenda items, particularly for ACE

2. ICES prepared a draft Strategic Plan to guide it into its second century. The plan calls for:

- A balanced program of scientific research to advance the capability to give advice on marine ecosystems and how they are affected by human activities and natural change
- Providing scientific advice
- Partnerships with other organizations that have mutual interests with ICES
- Increasing academic participation in ICES
- Increasing the human diversity of ICES participants
- More attention to objectively informing the public
- Better infrastructure to support the ICES scientific community

ICES conducted broad consultations on the draft plan in member countries and with potential partners, including a "high level" open forum on the Plan the day prior to the ASC. Most of the response to the plan was positive and constructive. However, as expected, it is necessary to revise the Plan. The plan will be revised by the Bureau in time for adoption at the 2001 meeting, so that it can serve as the foundation for the declaration being planned for the 2002 Centennial meeting in Copenhagen.

3. Chile was granted scientific observer status, joining Australia, New Zealand, South Africa and Greece in this category of association with ICES.

4. The beginning of the financial year of ICES was changed from 1 November to 1 January, effective immediately. This means that the current financial year will last 14 months. Bonds will be cashed to deal with the short-term cash flow problem created by the change in the financial year.

5. Status-quo budgets (allowing for inflation at only 2-3% annually) were agreed upon for the 2001 and 2002 financial years.

6. The ICES Headquarters is being expanded and remodeled to improve the meeting facilities. Most costs for the new space and remodeling are being born by the host country of Denmark. Funds have been allocated from the ICES budget for furnishing the new space.

7. ICES plans for a Large Marine Ecosystem project for the Baltic Sea are progressing well under a planning grant to ICES from the Global Environmental Facility. This project should result in millions of dollars of funding for the emerging Baltic countries enabling them to increase their ecosystem programs under the auspices of ICES.

8. The ICES Journal of Marine Sciences is doing well as a result of entering into a partnership with the Academic Press and dedicating two numbers per year to publication of papers from ICES symposia. As a result, the journal was profitable for the first time in memory.

9. ICES is negotiating with Johns Hopkins University Press to publish the History of ICES which is being prepared by Dr. Helen Rozwadowski, a historian commissioned by ICES. The Press is optimistic that they can market the book. ICES anticipates that about 500 copies will be purchased by members of the ICES community at a cost of about $30 per copy.

10. Several years ago, ICES dissolved its scientific committee that dealt with salmonids. It intended that salmonid science would be integrated into the Living Resources Committee that was established. However, there is growing concern that ICES is no longer attracting participation of salmonid scientists and that, eventually, this will undermine its role as the scientific advisor to NASCO. Therefore, a Bureau Working Group was established to address this problem in time to report to the Bureau in January 2001. Several delegates indicated that they were open to establishing a new science committee on salmonids.

11. Dr. Pentti Malkki (Finland) was elected President of ICES. Dr. Michael Sissenwine (USA) was elected as First Vice President (by tradition, President-Elect). Three more Vice Presidents were elected to the Bureau: Rudy De Clerck (Belgium), Eduardo Lopez-Jamar (Spain) and Joe Horwood (UK). Johann Sigurjonsson (Iceland) and Thomas Linkowski (Poland) will continue to serve on the Bureau. Thomas Linkowski was appointed to chair the Finance Committee.

12. Dr. Rob Stevenson (Canada) was elected to chair the Consultative Committee. The chair of Consultative Committee is traditionally considered the ICES chief scientist. In addition, the following science committee chairs were elected:

- Dr. F. Colijn (Germany) for Oceanography
- J.J. Maguire (Canada) for Resource Management
- P. Keizer (Canada) for Marine Habitat
- H. Heessen (Netherlands) for Living Resources

Leadership

A U.S. scientist, Dr. Michael Sissenwine has been elected First Vice President (by tradition, President-Elect, and other U.S. scientists chair two committees, the Mariculture Committee and the Baltic Committee, and several working/study groups.

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Future Meetings

1. The 2001 Annual Science Conference and Statutory Meeting will be held in Olso, Norway, 24 September to 3 October. The ASC will be 26-29 September. The opening lecture will be presented by T. Stoltenberg on "Our common future: a political perspective on the ocean and related issues. Invited talks will also be given by C. Maloney (of South Africa) on "Benguela Ecosystem Management" and S. Hall (Australia) on "Ecosystem effects of fisheries." Sixteen theme sessions are tentatively planned, for example, on the following topics:

- Stock structure of Atlantic cod - state of the art
- Developing salmon conservation limits-recent progress
- Case studies in systems analysis of fisheries management
- What information does ecosystem management need from ecologists and gear technologists to assess ecosystem effects of fishing and implement policies
- Eutrophication, for better or worse - can it be controlled
- Quality and precision of basic data underlying fish stock assessment and implications for fisheries management
- Response of Cephalopod (i.e., squid) populations and fisheries to changing environment and ecosystems
- Transport processes in the North Atlantic.

2. The 2002 ASC and Statutory Meeting will be held in Copenhagen, Denmark, 30 September to 9 October. The ASC will be 1-5 October. This meeting will mark the Centenary of ICES (the inaugural conference was held in Copenhagen in July 1902). Appropriate arrangements are being made to mark the event, such as a welcoming address by the King of Denmark, visitation of research vessels to Copenhagen, media events, and a high-level declaration by governments for continuing support for international cooperation in marine science under the ICES banner. Some tentative plans have been made for scientific theme sessions, such as:

- Environmental influence on trophic interactions
- Census of marine life - turning concepts into reality
- Scope and effectiveness of stock recovery plans in fisheries management
- Unaccounted mortality in fisheries
- Size-dependent processes in marine and freshwater organisms
- Integration of acoustic survey technologies and marine biological data
- Improvements in the quality of cultured of juvenile fishes
- Interactions between the distribution of Cetaceans and fisheries.

3. The 2003 and 2004 ASCs and Statutory Meetings will be held in Tallin, Estonia (22 September-1 October) and Vigo, Spain (exact dates to be determined), respectively.

4. At present, ICES has plans for eleven symposia (several to be co-sponsored with other organizations) during 2000-2004, such as:

- Fish stock assessments and prediction - Integrating relevant environmental information, 4-6 December 2000, Bergen, Norway
- Deep-sea fisheries, 12-14 September, Havana, Cuba (co-sponsored with NAFO)
- Acoustics in fisheries and aquatic ecology, 10-14 June 2002, Montpellier, France
- Role of zooplankton in global ecosystem dynamics: comparative studies from world oceans, Spring 2003, in Europe
- Precautionary approach to fisheries management - lessons learned and future directions, September 2004,

Valparaiso, Chile
- Influence of climate change on North Atlantic fisheries, 2004, Bergen, Norway

5. Approximately 100 Working Groups and Study Groups will meet or work by correspondence Intersessional, such as:

- Study group incorporating process information into stock-recruitment models, 23-26 January, Lowestoft, UK
- Working group on stock assessment methods, first half of 2001, location TBA
- Steering group to develop a course on stock assessment techniques, to work by correspondence
- Several working groups on acoustical survey methods, 22-27 April, Seattle, WA
- Study group on further development of the precautionary approach, 22-25 January, Copenhagen, Denmark
- Working group on ecosystem effects of fishing, 10 days in May, 2001, Copenhagen, Denmark
- Planning group on ecosystem models, 6-8 March 2001, Copenhagen, Denmark
- Workshop on deep-seabed survey technologies, 29-31 January 2001, Copenhagen, Denmark
- Working group on introductions and transfers of marine organisms, 28-30 March 2001, Barcelona, Spain
- Study group on modeling of physical/biological interactions, March 2001, La Rochelle, France
- Working group on fishery systems, 12-15 June 2001, Copenhagen, Denmark

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Joint FAO/WHO International Codex Alimentarius Food Standards Programme

Basic Instrument

The Codex Food Standards Programme was established in 1962 when FAO and WHO recognized the need for international standards to protect the health of consumers and facilitate trade among member nations. The Codex Alimentarius Commission (CAC) is charged with developing food standards for adoption and use by member countries. These international food standards are contained in 14 volumes that have been adopted by the CAC. The purpose of these standards is to protect the health of consumers and facilitate fair practices in food trade. These texts are in the form of Specific Food Standards, Codes of Practice and Recommendations. The CAC includes provisions for food hygiene, food additives, pesticide residues, contaminants, labeling and presentation and methods of analysis and sampling.

Member Nations

Albania, Algeria, Angola, Antigua, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Barbuda, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Democratic Republic of Congo, Republic of Costa Rica, Cote D'IVOIRE, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritania, Mauritius, Mexico, Micronesia Federated States, Moldova, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Sultanate of, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syria, Tanzania, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Vanuatu, Venezuela, Vietnam, Yemen, Zambia, and Zimbabwe.

Non-member Country

Bahamas

Commission Headquarters

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Budget

The total budget for the Codex Programme is $5.7KK. Seventy-five percent is contributed from FAO and 25% is contributed from WHO.

Organizational Structure

The Programme is operated by an International Commission through an Executive Committee and has various subsidiary bodies. Subsidiary bodies or Committees are both vertical and horizontal--or cross-cutting in nature. For example, specific food commodity committees such as the Codex Committee on Fish and Fishery Products (CCFFP) would be an example of a vertical committee. The Codex Committee on Food Hygiene (CCFH), which must address the hygienic considerations in all of the outputs of the Codex Alimentarius Programme is an example of a horizontal or cross-cutting Committee. Additionally, there are regional Committees that are also cross-cutting in nature which address special needs of specific geographical regions. In addition to member nations, Codex relies on scientific support from three prestigious committees sponsored by other specific United Nations Programmes. These are the Joint Expert Committee on Food Additives, the Joint Meeting on Pesticide Residues, and the International Consultative Group on Food Irradiation. A fourth expert committee is currently being formed to pass expert judgement on microbiological risk assessments which are offered to the Codex Committee on Food Hygiene. Each member country maintains a country contact point.

U.S. Representation

There are currently 22 different commodity and subject matter committees within Codex. The U.S. delegate is nominated by the U.S. Codex Office and affirmed by the Interagency Codex Policy Steering Committee, chaired by the USDA Undersecretary for Food Safety. The Steering Committee consists of: the U.S. Manager for Codex; and administrative appointed senior level policy personnel being the Deputy Commissioner for Policy, Food and Drug Administration; the Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, U.S. Environmental Protection Agency; the Assistant Secretary, Marketing and Regulatory Programs, Department of Agriculture; the Undersecretary of Farm and Foreign Agricultural Services, Department of Agriculture; the Special Assistant to the Secretary, Department of Agriculture; the Assistant Administrator for Fisheries, National Marine Fisheries Service; Special Trade Ambassador for Agriculture, Office of the U.S. Trade Representative; the Director of the Office of Agricultural and Textile Trade, Department of State; the Undersecretary, Food, Nutrition and Consumer Services, Department of Agriculture; the Undersecretary of Research, Education, and Economics, Department of Agriculture; and the Vice Chairman, Codex Alimentarius Commission. There is also an interagency technical committee for U.S.A. Codex consisting of career senior level SES executives. The Director of NMFS/Office of Sustainable Fisheries serves on this interagency technical committee. U.S.A. delegates to the Committee meetings are led by the U.S.A. Delegate and are comprised of other governmental and NGO advisors which include academia, industry, state government officials, trade associations, consumer organizations, etc.

Programs

The output products of the Codex Alimentarius Food Standards Programme generally relate to four specific areas, for example, (1) the development of General Principles to be followed in the international trade of food commodities, (2) specific Codex Commodity Standards for individual food commodities, or processing requirements, (3) the establishment of Codex Guidelines for specific actions or procedures, and (4) recommended Codes of Hygienic Practice which are similar to our GMP concepts that are to be followed when producing and/or

manufacturing specific food commodities. A country's adherence to these Codex outputs provides the country a "safe harborage" in the settlement of GATT disputes by WTO. The Codex Programme provides a forum for the world's leading experts to discuss, debate, and reach a scientific consensus on the food safety issues that affect international trade. Further, governmental participation allows access to the world's most current and complete body of scientific food safety information. Without a doubt, Codex has upgraded global food manufacturing practices which have dramatically resulted in improved global consumer protection. Such improvements lessen expensive regulatory efforts for importing countries during a time of shrinking resources. The United States has benefitted substantially from its participation in Codex. Action of the Codex Alimentarius Programme can greatly influence world regulatory food control activities since Codex work products represent a consensus of opinion on regulatory issues by the more than 140 member countries that in turn represent more than 97 percent of world's population.

Recent Activities

Since Codex was established in 1962, its commodity committees have published more than 200 commodity standards, including those for various types of processed fruits and vegetables; meat and fish products; cereals, pulses, and legumes; fats and oils; milk and milk products; soups and broths; and foods for special dietary uses. In addition to Codex standards, there are more than 35 Guidelines and Codes of Practice for food production and processing which have been prepared by the general subject committees. Historically, the U.S.A. has a low rate of acceptance of Codex Standards. To date the United States has accepted 981 pesticide standards and it has taken a position on about 70 commodity standards accepting most with specified deviations. The low rate of acceptances of Codex standards is generally not a result of specific health concerns, but rather due to the current regulatory workload's forcing regulatory agencies to give Codex a reduced priority. This low priority is changing as a result of the increasing recognition in U.S. agencies on the role Codex can play in mitigating WTO disputes.

Codex has recently standardized the Hazard Analysis Critical Control Point (HACCP) Food Inspection Program. Likewise it has enumerated the General Principles and Guidelines for the Conduct of Microbiological Risk Assessments as well as for the Application of Microbiological Criteria for Foods. It has developed numerous Standards and Codes of Practice for various fishery products and other foodstuffs.

The current "hot" topics being debated by the Codex include defining Acceptable Levels of Protection (ALOP) and Food Safety Objectives (FSO); procedures for judgement of equivalency of control measures for food safety and possible Technical Barriers to Trade (TBT); regulatory approaches among and between different country food inspection and certification systems; the use of "precautionary approaches" in Risk Management decision making; providing for General Principles and Guidelines for use in conducting Microbiological Risk Management; and the labeling of biotech-derived foods. All of these issues have, or will have, relevance to similar fishery management debates, (although in a different context and domain) expected to be carried out by ICCAT and other regional fishery bodies.

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PART IV. OTHER INTERNATIONAL ARRANGEMENTS OF INTEREST

Asia Pacific Economic Cooperation (APEC)

APEC was established in 1989 to promote open trade and economic cooperation among economies around the Pacific Rim, and, under APEC, the Fisheries Working Group (FWG) was formed in 1991. The FWG meets annually, and deliberates on a broad range of living marine resource issues and specific project proposals. The 21 APEC Economies are invited to these FWG meetings. In recent years, the FWG has concentrated in the areas of management; trade and marketing; seafood inspection training; aquaculture; and various environmental issues. The 12th meeting of the FWG will take place May 14-18, 2001, in Hong Kong, China.

Web address: http://www.apecsec.org.sg/

Asia-Pacific Fishery Commission (APFIC)

APFIC was organized in 1948 as the Indo-Pacific Fishery Council (later, Commission), an FAO regional fishery body. It has been redesignated as the Asia-Pacific Fishery Commission. APFIC operates through subsidiary bodies including: a Joint Working Party on Fish Technology and Marketing; a Committee on Aquaculture and Inland Fisheries; and a Committee on Marine Fisheries. In conjunction with the Twenty-sixth Session of APFIC, held in Beijing in September 1998, the organization held a Symposium on Fish Utilization in the Asia-Pacific Region. In 1999, *ad hoc* working groups on capture fishery data collection and food safety were convened.

Web address: http://www.fao.org/fi/body/body.asp

Commission for Environmental Cooperation (CEC)

The signing of the North American Free Trade Act (NAFTA) in 1993 created the world's largest trading bloc. At the same time, the NAFTA partners sought to build environmental safeguards into the trade liberalization pact and signed the North American Agreement on the Environmental Cooperation, creating the North American Commission for Environmental Cooperation (CEC). The CEC funds projects in four major areas: 1) Trade and the Environment; 2) Conservation of Biodiversity; 3) Pollutants and Health; and 4) Law and Policy. Projects focus on the protection of the North American environment, and therefore trilateral environmental problems, issues and cooperation are given priority in funding. The CEC biodiversity work program is increasingly addressing the marine environment.

Web address: http://www.cec.org/english/index.cfm

Commission for Sustainable Development (CSD)

The CSD was established after the 1992 UNCED-convened "Green Summit: in Rio, and its main purpose is to monitor progress made in meeting the goals of the 1992 Rio meeting, in particular Agenda 21. CSD holds meetings annually in New York, and reviews documents and resolutions that address, inter alia, various global fishery issues in light of the charges in the 1992 Rio declarations. As such, the CSD provides a convenient barometer for gauging opinions in the United Nations on global fishery and LMR issues. While the Eighth Session of the CSD held in April 2000 did not focus on fisheries or marine issues, the open-ended informal consultative process on Ocean Affairs formed under the CSD, held an international panel discussion on Illegal, Unregulated and Unreported Fisheries 30 May-2 June 2000.

Web address: http://www.un.org/esa/sustdev/csd.htm

Convention on the Conservation and Management of Fishery Resources in the Southeast Atlantic Ocean (SEAFO)

A Convention to establish a new regional fisheries conservation and management organization for the Southeast Atlantic Ocean, the Southeast Atlantic Fisheries Organization (SEAFO), has been negotiated. When it comes into force, SEAFO will manage fishery resources on the high seas of the Southeast Atlantic Ocean, but not those under national jurisdiction, nor highly migratory species. The text of the convention was finalized in November, 2000. It will be open for signature at a signing conference in February 2001.

Fishery Committee for the Eastern Central Atlantic (CECAF)

CECAF is the FAO regional fishery body for the Eastern Central Atlantic. It is organized to promote programs of development for the rational utilization of fishery resources; assist in establishing bases for regulatory measures; and encourage training. It operates through a Sub-Committee on Management of Resources Within Limits of National Jurisdiction; a Joint Working Party on Resources Evaluation; a Joint Working Group on Sardines, Horse Mackerels and Mackerels of the northern CECAF area; a Joint Working Party on Hakes and Deep-Sea Shrimps; and a Joint Working Party on Small Pelagics or Demersals of the Western Gulf of Guinea; a Sub-Committee on Fishery Development.

Web address: http://www.fao.org/fi/body/body.asp

Food and Agriculture Organization of the United Nations (FAO)
Committee on Fisheries (COFI)

The Food and Agriculture Organization (FAO) was founded in October 1945 with a mandate to raise levels of nutrition and standards of living, to improve agricultural productivity, and to better the condition of rural populations.

Today, FAO is the largest autonomous agency within the United Nations system with 175 Member Nations plus the EC (Member Organization) and more than 1,500 professional staff. The Organization's 2000-2001biennial budget is set at $650 million and FAO-assisted projects attract more than $3000 million per year from donor agencies and governments for investment in agricultural and rural development projects.

The Organization offers direct development assistance, collects, analyses, and disseminates information, provides policy and planning advice to governments and acts as an international forum for debate on food and agriculture issues. FAO is active in land and water development, plant and animal production, forestry, fisheries, economic and social policy, investment, nutrition, food standards and commodities and trade. It also plays a major role in dealing with food and agricultural emergencies. A specific priority of the Organization is encouraging sustainable agriculture and rural development, a long-term strategy for the conservation and management of natural resources. It aims to meet the needs of both present and future generations through programs that do not degrade the environment and are technically appropriate, economically viable, and socially acceptable.

FAO is governed by the Conference of Member Nations, which meets every two years to review the work carried out by the organization and approve a Program of Work and Budget for the next biennium. The Conference elects a Council of 49 Member Nations to act as an interim governing body. Members serve 3-year, rotating terms. The Conference also elects a Director-General to head the agency. The current Director-General, Jacques Diouf, will begin a second 6-year term in January 2000.

The Organization's work falls into two categories. The Regular Program covers internal operations, including the maintenance of the highly qualified staff who provide support for field work, advise governments on policy and planning and service a wide range of development needs. It is financed by Member Nations, who contribute according to levels set by the Conference. The Field Program implements FAO's development strategies and provides assistance to governments and rural communities. Projects are usually undertaken in cooperation with national governments and other agencies. More than 60 percent of Field Program finances come from national trust funds and 22 percent is provided by the United Nations Development Program. FAO contributes about 16 percent-- drawn from the Regular Program budget--through its Technical Cooperation Program (TCP).

The Committee on Fisheries (COFI), a subsidiary body of the FAO Council, was established by the FAO Conference at its Thirteenth Session in 1965. The Committee presently constitutes the only global inter-governmental forum where major international fisheries and aquaculture problems and issues are examined and recommendations addressed to governments, regional fishery bodies, NGOs, fishworkers, FAO and international community, periodically on a world-wide basis. COFI has also been used as a forum in which global agreements and non-binding instruments were negotiated.

COFI membership is open to any FAO Member and non-Member eligible to be an observer of the Organization. Representatives of the UN, UN bodies and specialized agencies, regional fishery bodies, international and international non-governmental organizations participate in the debate, but without the right to vote.

COFI is empowered to establish subcommittees on specific issues. These subsidiary bodies meet in the intersessional period of the parent Committee. At present, COFI has established a Sub-Committee on Fish Trade and is developing terms of reference for a Sub-Committee on Aquaculture.

The next meeting of the Sub-Committee on Trade will be February 14-17, 2002, in Bremen, Germany.

The two main functions of COFI are to review the programs of work of FAO in the field of fisheries and aquaculture and their implementation, and to conduct periodic general reviews of fishery and aquaculture problems of an international character and appraise such problems and their possible solutions with a view to concerted action by nations, by FAO, inter-governmental bodies and the civil society. The Committee also reviews specific matters relating to fisheries and aquaculture referred to it by the Council or the Director-General of FAO, or placed by the Committee on its agenda at the request of Members, or the United Nations General Assembly.
In its work, the Committee supplements rather than supplants other organizations working in the field of fisheries and aquaculture.

The next meeting of COFI (Twenty-fourth Session) will be February 26-March 2, 2001, in Rome, Italy, at FAO headquarters. In the interim between the Twenty-fourth Session of COFI and the Twenty-fifth in the Spring of 2003, FAO will be hosting a number of technical and expert consultations to advance major global fisheries issues. These include further consultations on the reduction of fishing capacity and consultations on shared stocks and ecosystem management.

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Global Ecosystem Dynamics (GLOBEC)

GLOBEC is an IOC activity. Conceived as a study of zooplankton in relation to their physical environment (and thus to future climatic change), it has developed strong fisheries components. Active programs include **?**Cod and Climate Change," a GLOBEC-ICES program in the North Atlantic. The **?**Small Pelagic Fishes and Climate Change **?** (SPACC) and PICES-GLOBEC **?**Climate Change and Carrying Capacity" programs are in planning.

Web address: http://cbl.umces.edu/fogarty/usglobec/

Global Ocean Observing System (GOOS)

GOOS is an internationally coordinated system for systematic operational data collection (measurements), data analysis, exchange of data and data products, and technology development and transfer. The objective of GOOS is to ensure the establishment of a permanent system of global and systematic observations adequate for forecasting climate variability and change; for assessing the health or the state of the marine environment and its resources, including the coastal zone; and for supporting an improved decision-making and management process, which takes into account potential natural and man-made changes in the environment and their effects on human health and marine resources. GOOS is coordinated by the Intergovernmental Oceanographic Commission (IOC). Four GOOS design panels (Coastal, Living Marine Resources, Health of the Oceans, and Climate) are in the process of identifying the observations and resources required to meet GOOS objectives.

Web address: http://ioc.unesco.org/goos/goos.htm

Indian Ocean Fishery Commission (IOFC)

The IOFC is an FAO regional fishery body. It operates through a Committee for the Development and Management of Fisheries in the Bay of Bengal; the Bay of Bengal Program; the Committee for the Development and Management of the Gulfs; and the Committee for the Development and Management of Fisheries in the Southwest Indian Ocean. With negotiation of the Indian Ocean Tuna Commission (a fisheries management organization), IOFC discontinued its Committee for the Management of Indian Ocean Tuna. Because the United States is neither a coastal State nor a State whose nationals fish in the area covered by the Agreement, it is not a member of the IOTC.

Web address: http://www.fao.org/fi/body/body.asp

Intergovernmental Panel on Climate Change (IPCC)

The IPCC was established to provide an authoritative statement of scientific opinion on climate change. Several hundred scientific experts serve on three Working Groups. Their work has been broadly peer-reviewed and subjected to full governmental reviews. Working Group I deals with the science of climate change. Working

Group II deals with impacts and response strategies. Working Group III deals with broad socioeconomic issues, such as the costs and benefits of global mitigation efforts in energy, forestry and agriculture.

All of the significant fisheries materials are included in the 1995 Working Group II reports. The National Marine Fisheries Service (NMFS) Office of Science and Technology had significant roles in Working Group II, including the designation as Co-Convening Lead Author for the Polar Regions report, which was completed and published as a special areas report of the IPCC. The current IPCC effort is being developed as a regional assessment. NMFS was a reviewer of the regional sections to ensure that fishery interests were adequately addressed for each region.

International Oceanographic Commission (IOC)

The United States is supporting the Ocean Science in Relation to Living Resources (OSLR) program of the IOC, which includes support for the Global Ecosystem Dynamics (GLOBEC) and Small Pelagic Fishes and Climate Change (SPACC) programs, Large Marine Ecosystems (LMEs), Harmful Algal Blooms (HAB), the Global Coral Reef Monitoring Network (GCRMN), and the Living Marine Resources Module of the Global Ocean Observing System (LMR GOOS). The (GLOBEC) Science Plan has been finalized and an implementation plan is beinig developed. Planning for LMR GOOS should be completed in 2000.

Web address: http://ioc.unesco.org/iocweb/

Multilateral High-level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific (MHLC)

On September 4, 2000, the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (attached)was adopted, following seven negotiating sessions spanning 5 years. The Convention was adopted by 19 states voting in favor[1]; Japan and Korea voting against; and China, France, and Tonga abstaining. We hope that those states that abstained or even voted against will eventually accept the Convention. The Pacific island states control access to the fishing grounds where the majority of the catches occur. These states provide access to their exclusive economic zones through agreements with distant water fishing states.

The Convention will establish a Commission to conserve and manage tuna and tuna-like species in the vast area of the western and central Pacific west of 150° meridian of west longitude, a resource estimated to have an annual value of $1.5-2 billion. For many of the Pacific Island nations, these fish stocks are the only significant renewable

[1] Australia, Canada, Cook Islands, Federated States of Micronesia, Fiji, Indonesia, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Tuvalu, United States, and Vanuatu.

natural resource and a key to their economic development aspirations. The United States has been cooperating with them since 1985 under the South Pacific Tuna Treaty; the new Convention will serve to apply the same rules our fishermen have been following to all distant water and coastal states in the region. These include carrying observers, a vessel monitoring system, restrictions on transhipment, and catch and fishing effort reporting. The new Convention is fully consistent with the 1995 United Nations Fish Stocks Agreement and other recent global fisheries agreements.

The Convention will enter into force after ratification by three states situated north of 20° north latitude (primarily the distant water fishing states) and by seven states south of 20° north latitude (primarily the Pacific island states). In the meantime, a Preparatory Conference will design the internal rules and procedures for adoption by the eventual Commission. Considerable work must be done within NOAA Fisheries in the next 2-5 years to become prepared to implement U.S. scientific, management, and enforcement obligations under the new Convention.

North Pacific Interim Scientific Committee for Tuna and Tuna-like Species (ISC)

The ISC was formed by the United States and Japan in January 1995 as a first step toward creating a fishery management and conservation organization for North Pacific pelagic fish stocks. The purposes of ISC are to (1) enhance scientific research and cooperation for conservation and rational utilization of the species of tuna and tuna-like fisheries which inhabit the North Pacific Ocean during all or part of their life cycle; and (2) establish the scientific groundwork, so at some future time a multilateral regime for the conservation and rational utilization of the region's pelagic fish stocks may be created. Membership in the ISC is open to all coastal States of the region, as well as States whose vessels fish for tuna or tuna-like species in the region. Canada, China, Taiwan (Chinese Taipei), Japan, Korea, Mexico, the United States, and several regional organizations have participated in past meetings.

On a practical level, the ISC regularly assesses and analyzes fishery and other information, prepares reports, formulates research proposals, and to the extent possible, coordinates international and national research programs on the relevant species. Four Working Groups have been established by the ISC: (1) the Swordfish Working Group, (2) Bluefin Tuna Working Group, (3) Bigeye Tuna Working Group, and (4) the Data Collection Systems Working Group.

The second meeting of the ISC took place in Honolulu, HI, on January 20-23, 1999. Participants described their countries' fisheries for tuna and tuna-like species and the overall status of stocks for those North Pacific highly migratory species which have been the focus of ISC scientific work–primarily northern bluefin tuna, swordfish, and bigeye tuna. Species working groups reported on their work and provided guidance on further research efforts and priorities for consideration by the ISC.

The first meeting of the Bluefin Tuna Working Group was held in December 2000 in Shimizu, Japan. Participants reviewed progress on bluefin tuna research and catch information.

The third meeting of the ISC will be held in Japan in 2001.

Organization for Economic Cooperation and Development (OECD)

OECD is a Paris-based international organization that provides a forum for consultations on a wide range of economic issues among developed countries. The OECD Committee for Fisheries meets twice annually (in the spring and fall) and occasionally holds ad hoc technical meetings. In recent years, the OECD Committee for Fisheries has emphasized management-related studies, and, currently, is completing a multifaceted studies program that focuses on the transition to sustainable fisheries, using a case study approach. To assist the Committee in the completion of these studies, NMFS has provided four papers and submissions on (1) the economic costs and benefits (2) social implications; (3) the role of post-harvest practices; and (4) the effects of government financial transfers, all relating to the transition to responsible fisheries. The last case study, which deals with the role of government financial transfers, has turned out to be the most difficult and controversial, in large part because its central theme has obvious implications for the negotiation of an agreement on fishery subsidies. The next meeting of the OECD Committee for Fisheries will take place in March 2000, where it is hoped that the current studies will be finalized and discussions will begin on the next work program.

Web address: http://www.oecd.org/

Standing Committee on Tuna and Billfish (SCTB) of the Secretariat of the Pacific Community (SPC)

The SCTB was established by the SPC's Oceanic Fisheries Program (OFP, formerly the Tuna and Billfish Assessment Program) to serve as a scientific forum for primarily reviewing and promoting the OFP's work program by invited experts. In 1998, the SCTB's charter underwent a significant change and with different focus. It broadened participation to "scientists and others with an interest in the tuna fisheries of the western and central Pacific Ocean." It adopted five objectives: "(1) coordinate fisheries data collection, compilation and dissemination according to agreed principles and procedures; (2) review research on the biology, ecology, environment and fisheries for tunas and associated species in the western and central Pacific Ocean; (3) identify research needs and provide a means of coordination, including the fostering of collaborative research, to most efficiently and effectively meet those needs; (4) review information pertaining to the status of stocks of tunas and associated species in the western and central Pacific Ocean, and to produce statements on stock status where appropriate; and (5) provide opinion on various scientific issues related to data, research and stock assessment of western and central Pacific Ocean tuna fisheries."

The SCTB meets annually, usually in June or July. The time and venue for the 2001 meeting has not yet been announced, but likely to be held in July and in Noumea, New Caledonia.

United Nations Atlas of the Oceans Project

The United Nations (UN) Oceans Atlas will be CD-ROM and Internet-based, containing information relevant to sustainable development of the oceans and to the advancement of ocean science. It is designed for use by policy makers needing to become familiar with ocean issues and by scientists and resource managers needing access to underlying data bases and approaches to sustainability.

The Atlas will include: (1) background on the oceans--from how they were formed, to their physiology, biology, and climatology; (2) the uses of the oceans--from food to shipping, mining, energy, etc.; and (3) ocean issues--such as sustainability, food security, global change, and pollution. The Project has been funded by the UN Foundation. Six

UN agencies (e.g., UNEP, WMO, IOC) have committed fiscal resources to the project. FAO will conduct the project on behalf of the UN because of its expertise in building atlases in support of global decision making and research. Dr. John Everett of NMFS is the manager of the project, working from NOAA offices in Silver Spring, Maryland, and FAO Headquarters in Rome, Italy. He will coordinate the development of materials by a dozen UN agencies and several collaborating nations and contractors, through to the production of the Atlas product.

United Nations General Assembly (UNGA)

The United Nations General Assembly (UNGA) was not known as a forum for the discussion of fisheries issues through most of its history, but this changed in the 1990s when it took up the problem of large-scale, pelagic driftnet fishing on the high seas. UNGA Resolution 44/225, adopted in 1990, called for a moratorium on the use of this fishing gear on the high seas by June 30, 1992. This Resolution was supplanted by UNGA Resolution 46/215, which delayed the effective date of the moratorium until December 31, 1992. Since that time, UNGA has adopted resolutions at least biennially inviting information on implementation for inclusion in a report of the Secretary General prepared for a future meeting of UNGA. NOAA Fisheries has worked with the Department of State to prepare a U.S. submission at every such opportunity. In addition, UNGA regularly considers and adopts resolutions on unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries bycatch and discards; promoting the entry into force of the Food and Agriculture Organization Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; and promoting the entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the

Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The United States provides information for reports of the Secretary General on these topics as well.

Web address: http://www.un.org/Depts/los/

U.S.-China Marine and Fisheries Science and Technology Protocol

This Protocol, initiated in May 1979, is part of an umbrella science and technology agreement. The cooperative activities under the Protocol are managed by a Joint Working Group which consists of a co-chair and an executive secretary on each side. OAR provides the U.S. Co-chair. Within the Joint Working Group framework, a Living Marine Resources (LMR) Panel was established to address cooperative projects in fisheries and aquaculture. The 14th Joint Working Group Meeting took place in Hanzhou, China, in September 1999. At this time, NOAA Fisheries discussed future cooperative research plans with China.

U.S.-France Cooperative Program

Under the U.S.-France Cooperative Program in Oceanography, the Director of the Northeast Fisheries Science Center serves as the U.S. Program Leader for the Living Resources Panel. French and U.S. scientists have

collaborated on various projects including: (1) Technological Interactions in Multi-Species Fisheries; (2) Age Composition of Fisheries Catch; (3) Genetic Manipulation: Shellfish and Marine Invertebrates; (4) COADS (Comprehensive Ocean-Atmosphere Data Set) Data Bank for Fisheries; (5) CEOS (Climate and Eastern Ocean Systems); (6) Spatio-temporal Scales in the Dynamics of Exploited Populations; and (7) Automated Image Processing Techniques for Classification and Assessment of Living Resources.

U.S.-Ireland Cooperation

The *Joint Statement to Pursue Collaboration in the Programs of Marine Research and Technology Development, Sustainable Development, Coastal Zone Management, and Marine and Coastal Protected Areas* was signed by Commerce Secretary Ron Brown and the Irish Minister of the Marine Sean Barrett in December 1995. A $5 million/5-year collaboration between NOAA and the Marine Institute of Ireland was initiated in October 1999. Projects under development focus on the use of satellite imagery and remote sensing in the generation and application of oceanographic models for predicting the occurrence of harmful algal blooms and fish recruitment. Projects involving Atlantic salmon are also being considered.

U.S.-Morocco Cooperation

The United States established fisheries ties with the Government of Morocco in 1975 when a U.S. Regional Fisheries Attache position was established in Casablanca. These ties were formalized by a series of agreements signed in Washington, D.C., in May 1983. The agreements call for cooperative exchanges between Moroccan and U.S. fishery scientists as a part of an agreement linking the NMFS Southeast Fisheries Science Center and the Institute Scientifique des Peche Maritimes in Casablanca. The most recent exchanges took place in early December 1996.

U.S.-Korea Science and Technology Agreement

The U.S.-Korea Science and Technology Agreement was concluded in 1988, and has been renewed twice since that time. NMFS involvement with this S&T has been minimal, with most cooperative research activities taking place through regional frameworks such as PICES or through ad hoc bilateral arrangements.

U.S.-South Africa Cooperative Program

The Conservation, Environment, and Water Committee of the U.S.-South Africa Binational Commission was established, in part, to assist South Africa maintain its high quality of oceanographic and fisheries science through increased cooperation with international marine scientists and organizations, and to seek increased participation of

under-represented communities in marine sciences.

U.S.-Vietnam Fisheries Cooperation Program

A bilateral fisheries relationship with Vietnam began in earnest during 1998 and was initiated with the exchange of several fishery scientists from both sides. In October 1998, NOAA Fisheries Assistant Administrator Rolland Schmitten led a U.S. fisheries delegation composed of both government and private sector representatives to Vietnam. The visit resulted in agreement to continue cooperative exchanges which will provide benefits to both sides. During 1999 and 2000, a wide variety of scientific exchanges have taken place, the most notable being the participation of a NOAA Fisheries scientist on a Vietnamese fisheries research cruise during October 2000.

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Western Central Atlantic Fishery Commission (WECAF)

WECAF is the FAO regional fishery body for the Caribbean region. Its main functions are to facilitate coordination of research; to encourage education and training; to assist Member Governments in establishing rational policies and to promote rational management of resources that are of interest for two or more countries. It operates through committees, including the Committee for the Management and Development of the Lesser Antilles, a Working Party on Statistics, and a Working Party on Assessment of Marine Fishery Resources.

Web address: http://www.fao.org/fi/body/body.asp

World Trade Organization (WTO)

The WTO (formerly the General Agreement on Tariffs and Trade) was established in 1947, and is the international organization that negotiates and enforces trade rules and periodically convenes multilateral trade negotiations. The last multilateral trade negotiations, the Uruguay Round, began in 1986 and concluded in 1994. The United States has three broad fishery-related interests in WTO: (1) defending our conservation laws in WTO dispute settlement; (2) negotiating fisheries tariffs, non-tariff barriers, and subsidies in the trade rounds; and (3) more recently, participating in meetings of the WTO Committee on Trade and Environment. Unfortunately, the WTO Ministerial in Seattle that was to kick off a new round of negotiations on a number of issues in early December 1999 ended in failure, and, and a result, the above tariff and subsidies issues are temporarily on hold.

Web address: http://www.wto.org/

PART V. APPENDIX

Governing International Fishery Agreements (GIFAs) Between the United States and Foreign Entities

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), foreign fishing within the U.S. 200-mile Exclusive Economic Zone may only be conducted under a GIFA.

Although many GIFAs have been concluded since the enactment of the Magnuson-Stevens Act, the following list includes only active agreements that are currently in force or in the process of extension.

Status as of March 15, 2001:

Country	Expiration Date	Status
Estonia	6-30-00	In Extension
Latvia	12-31-02	In Force
Lithuania	12-31-01	In Force
People's Republic of China	7-01-01	In Force
Poland	12-31-02	In Force
U.S./Russia Mutual Fisheries Relations Agreement	12-31-03	In Force

MEMORANDUM FOR: *Distribution

FROM: Dean Swanson
Chief, International Fisheries Division

SUBJECT: 2001 International Living Marine Resource Agreements

The International Fisheries Division has again coordinated revisions to the summary of international agreements concerning living marine resources of key interest to NOAA Fisheries, including descriptions of commissions established by them, where applicable. We have received contributions from several headquarters and field offices, and we are grateful to those individuals who provided them. This year's update (attached) has been expanded to reflect more accurately the breadth of the Agency's international activities.

This information is in the public domain and is for your reference and use. Most sections conclude with staff contacts who can provide further information. For other questions or additional copies, please contact me at (301) 713-2276 or Dean.Swanson@noaa.gov.

Attachment

*Distribution

F	F/NER
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